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SAN FRANCISCO  
BOARD OF SUPERVISORS  
ECONOMIC AND SOCIAL POLICY COMMITTEE

Three documents were usually produced for meetings of this Committee:

- (1) a Calendar constituted the "Agenda" for the meeting;
- (2) the Budget Analyst often did an analysis of Agenda items; and
- (3) actions taken at the meeting were indicated on the Calendar, and constituted the Action Calendar, or "Minutes" of the meeting.

Note that the Agendas and the Minutes are both captioned "Calendar". They differ in that the Minutes describe the action taken on each Calendar item.

This volume includes the available Minutes of this Committee's meetings. The Agenda is included only if the Minutes are missing.

The Budget Analyst memo, if any, precedes the Minutes of a meeting. If the Minutes are not available, the Budget Analyst memo follows the Agenda for the meeting.



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January 3, 1991

CALENDAR

NOTICE OF CANCELLED MEETING  
ECONOMIC & SOCIAL POLICY COMMITTEE

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Economic & Social Policy Committee for Thursday, January 10, 1991, at 10:00 a.m., has been cancelled.

A handwritten signature in cursive script, appearing to read "John L. Taylor".

John L. Taylor  
Clerk of the Board

POSTED: JANUARY 3, 1991

**IMPORTANT  
HEARING NOTICE**

**ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
ROOM 235, CITY HALL  
SAN FRANCISCO, CALIFORNIA 94102**

CITY AND COUNTY



OF SAN FRANCISCO

**BOARD OF SUPERVISORS**

**BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

January 18, 1991

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TO: Economic and Social Policy Committee

FROM: Budget Analyst - *Recommendations*

SUBJECT: January 23, 1991 Economic and Social Policy Committee Meeting

Item 4 - File 109-88-3

**Note:** This item was continued at the September 12, 1991 Economic and Social Policy Committee Meeting.

**Departments:** Public Utilities Commission (PUC)  
Water Department  
Residential Rent Board

**Item:** The proposed ordinance would amend Sections 37.3 and 37.8 of the City's Administrative Code to permit landlords to pass through to tenants penalties for exceeding water allotments.

**Description:** The City's Residential Rent Stabilization and Arbitration Ordinance (Chapter 37 of the Administrative Code) currently allows landlords to increase tenant rents annually by an amount based on the change in the Consumer Price Index (CPI) over the proceeding 12 months. This rent increase, regardless of the change in the CPI, shall be a minimum of four percent and a maximum of seven percent. Increases for gas and electricity may be passed through directly to tenants over and above the permitted annual rent increase. Increases for water and sewer service, however, are considered part of operating and maintenance expenses and are deemed to be included in the annual rent increase. Raising rent more than the granted annual rent increase based upon increased operating and maintenance expenses requires approval from the Residential Rent Board.

Because of the lack of rainfall in the winter of 1989-90, the City adopted a water rationing plan on May 5, 1990. Previously, the City had adopted a water rationing plan for the period April 28, 1988 through May 9, 1989. To implement the rationing plan, the PUC established water use allotments and a schedule for excess use charges for customers using water in amounts greater than their prescribed allotments. In order to allow landlords time to implement conservation programs, the first penalties were not issued until August 1990.

The Rent Ordinance, which was adopted over ten years prior to the rationing program, does not address the issue of Water Department penalties for exceeding water allotments. Consequently, landlords were not permitted to pass excess water use penalties incurred by tenants on to tenants but rather the landlords had to pay the penalties themselves.

The proposed ordinance would permit landlords to pass through any established Water Department penalties for excessive water use to tenants above and beyond the allowable annual rent increase under the following conditions: 1) penalties could only be imposed upon tenants who occupied the building during the penalty period and 2) the penalties would have to be pro-rated on a per unit basis. Rent increases due to water penalty charges would not become part of a tenant's base rent. The proposed ordinance would also direct the Residential Rent Board to adopt regulations to implement the pass-through of the water penalty charges.

**Comments:**

1. According to Mr. Carlos Jacobo of the Public Utilities Commission, the Water Department billed approximately \$3.3 million in water penalties for the period August 1 through October 31, 1990 for all users in San Francisco (commercial, industrial, single residences and multi-residential buildings). While no breakdown was available for the amounts of fines for each user category, 83 percent or 86,586 of the 104,320 residential customers were in compliance with their allotments and 75 percent or 26,447 of 35,263 multi-residential buildings were in compliance.

2. Data collected by the Water Department from October 1988 through May 1989 during the last water rationing period indicated that a total of \$1,706,000 in excess use charges was assessed for multi-residential buildings only. Water Department records indicate that at that time there were 31,158 apartment buildings with a total of 194,123 living units in San Francisco. Over the eight-month period for which data

is available, there was a per capita (living unit) water penalty assessment of \$8.79 or approximately \$1.10 per month.

3. The proposed ordinance would allow pass-through of water penalty charges for multi-residential buildings on a pro-rated basis for individual tenants. Mr. Joe Grubb of the Residential Rent Board indicates that the Rent Board would have concerns over the provisions of the proposed ordinance because it would create no incentive for individual tenants in multi-residential buildings to conserve water. The Rent Board has previously indicated by letter to the Board of Supervisors that it supports the elimination of penalties for multi-unit buildings where water is not individually metered.

4. The proposed ordinance would allow landlords to pass-through all water penalty charges to tenants. This would create no incentive for landlords to take any steps to improve water conservation within their properties. Mr. John Mullane of the Water Department states that there are a number of low-cost measures that landlords can employ, such as installing flow restrictors in shower heads, to encourage water conservation. Mr. Mullane added that the Water Department thought that a more equitable proposal would be a 50 percent split in penalties between landlords and tenants.

**Recommendation:** The proposed ordinance is a policy matter for the Board of Supervisors.





Item 6 - File 32-90-4

1. The proposed ordinance would amend the City's Cable Television Franchise with Viacom (Ordinance 105-64) by extending the due date for the Citizens Telecommunications Policy Committee's (CTPC) three-year report on recommendations for franchise changes from December 1, 1990, to February 1, 1991.

2. Mr. Leonard Snaider of the the City Attorney's Office reports that the CTPC report has not been finalized as of the writing of this report and recommends approval of this ordinance.

Recommendation

Approve the proposed ordinance.



Item 7 - File 197-90-2.1

1. The proposed resolution establishes a Cultural Affairs Task Force to consider and review a proposal for creating a Department of Cultural Affairs. Such a department would coordinate and administer the City's cultural affairs.

2. The proposed resolution also states the following:

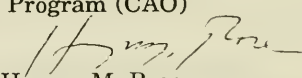
- Each member of the Board of Supervisors would select one person to serve on the Cultural Affairs Task Force.
- Operating and staffing costs of the Cultural Affairs Task Force shall not be paid by the City or any of the City's agencies.
- The Cultural Affairs Task Force will make a written report of its recommendations to the Board of Supervisors within one year of the effective date of the proposed resolution, whereupon the task force will be dissolved.

Comments

1. As of the writing of this report, a budget for a Department of Cultural Affairs has not been provided to the Budget Analyst.

2. All or part of the following, existing City departments and functions that provide cultural affairs to the citizens of San Francisco could be included in a Department of Cultural Affairs:

Academy of Sciences	Recreation and Park
Arts Commission	War Memorial
Asian Art Museum	Mayor's Film Commission
Fine Arts Museums	Grants for the Arts Program (CAO)
Public Library	

  
Harvey M. Rose

cc: Supervisor Kennedy	Clerk of the Board
Supervisor Migden	Legislative Policy Analysts
Supervisor Alioto	Chief Administrative Officer
President Ward	Controller
Supervisor Achtenberg	Carol Wilkins
Supervisor Britt	Ted Lakey
Supervisor Gonzalez	
Supervisor Hallinan	
Supervisor Hsieh	
Supervisor Maher	
Supervisor Shelley	

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



SF  
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# 3  
1/23/91

CALENDAR - ACTIONS TAKEN

RESCHEDULED MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

WEDNESDAY, JANUARY 23, 1991 - 2:00 P.M.

LEGISLATIVE CHAMBER  
2ND FLOOR, CITY HALL

MEMBERS: SUPERVISORS KENNEDY and MIGDEN

ABSENT: SUPERVISOR ALIOTO

CLERK: KAY GULBENGAY

1. File 18-90-22. [Stop Intersections] Consideration of establishment of Stop intersections, various streets. (Department of Parking and Traffic)

Stop Signs - Establish

Utah Street and Fifteenth Street, southeast and northwest corners, stopping Utah Street traffic.

Forty-Fifth Avenue and Vicente Street, southeast and northwest corners, stopping Forty-Fifth Avenue traffic (makes this an all-way STOP).

Forty-Sixth Avenue and Anza Street, southeast and northwest corners, stopping Forty-Sixth Avenue traffic.

Magellan Avenue and Dorantes Avenue, southwest corner, stopping Magellan Avenue traffic (makes this a two-way STOP).

Bocana Street and Eugenia Avenue, southeast and northwest corners, stopping Bocana Street traffic (makes this an all-way STOP).

ACTION: Hearing held. Department of Parking and Traffic Order regarding Magellan Avenue and Dorantes Avenue amended to read as follows: "Magellan Avenue and Dorantes Avenue, Northwest corner, stopping Magellan Avenue (makes this a two-way stop.)" Department of Parking and Traffic recommendations recommended as amended. Resolution prepared in and reported out of committee entitled: "Designating certain intersections as "Stop" intersections." Recommended.

2. File 18-90-21. Hearing to consider feasibility of installing three-way Stop sign at the corners of Ashton and De Montfort Avenues. (Supervisor Kennedy)

ACTION: Hearing held. Filed.

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3. File 40-90-11. Hearing to consider including the first block of Broderick Street between Waller and Haight Streets in the Residential Permit Parking Area. (Supervisor Kennedy)

**ACTION:** Hearing held. Resolution prepared in and reported out of committee entitled: "Extending boundaries of Residential Permit Parking Area "S" in the Duboce triangle area and adding to the list of streets upon which time limitations shall apply." Recommended.

4. File 109-88-3. [Rent Ordinance] Ordinance amending Administrative Code by amending Sections 37.3 and 37.8 to permit landlords to pass through to tenants penalties for exceeding water allotment. (Supervisor Kennedy)  
(Continued from 9/12/90)

**ACTION:** Hearing held. Continued to February 12, 1991 meeting.

5. File 4-90-37. Hearing to consider urging the Mayor to set aside a special introspective and consciousness-raising day in San Francisco to officially review the status of women in our City and our world today, so that we may better address the concerns and needs of women, including issues of workplace discrimination, pay equity, reproductive health, gender justice in the culture, parenting, child care, social empowerment, and also to consider the special achievements of local women. (Supervisor Hongisto)

**ACTION:** Hearing held. Continued to the call of the chair.

6. File 32-90-4. [Cable Television Franchise Revisions] Ordinance amending Ordinance No. 105-64 by amending Section 1, relating to Cable Television Franchise, by extending filing deadline for franchise amendment recommendations to February 1, 1991. (Clerk of the Board)

**ACTION:** Hearing held. Recommended.

7. File 197-90-2.1. [Cultural Affairs Task Force] Resolution establishing Cultural Affairs Task Force to make recommendations to the Board of Supervisors regarding a proposal to create a Department of Cultural Affairs. (Supervisors Hallinan, Gonzalez, Ward)  
(Continued from 12/13/90)

**ACTION:** Continued to February 12, 1991 meeting at the request of the sponsors.



**BOARD OF SUPERVISORS**

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

February 7, 1991

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**TO:** Economic and Social Policy Committee

**FROM:** Budget Analyst - *Recommendations*

**SUBJECT:** February 12, 1991 Economic and Social Policy Committee Meeting.

Item 3 - File 161-90-3

**Note:** This item was continued from the April 12, 1990 Economic and Social Policy Committee meeting.

**Departments:** Redevelopment Agency  
City Planning Department

**Item:** The proposed resolution would adopt the Bernal Heights East and South Slope Revitalization Feasibility Report and request that the City Planning Commission select a project area and formulate a preliminary plan for the Bernal Heights East and South Slope Survey Area.

**Description:** In November of 1988, the Board of Supervisors approved a resolution (File 346-88-2) which designated the Bernal Heights East and South Slope as a Survey Area for the purpose of determining the feasibility of creating a redevelopment project within that area that could include, among other elements, infrastructure improvements and the creation of additional housing. The Survey Area is composed of three non-contiguous sub-areas:

- (1) Brewster/Joy;
- (2) Banks/Chapman;
- (3) Bradford/Jarboe.

Attachment 1 includes a map of the Survey Area which identifies each of the three sub-areas.

In developing its Feasibility Report, the Redevelopment Agency considered a number of elements in its study including soils analysis and testing, assessment of infrastructure needs, traffic circulation, open space and recreation, alternatives for building additional housing and the desirability of creating affordable housing.

The Report calculated preliminary overall infrastructure cost estimates for each of the three sub-areas. These estimates, which include costs for design, field inspection, administration and contingencies will need to be updated for inflation and are subject to revision pending final detailed engineering design for street, water and sewer improvements. The preliminary estimated costs for the three sub-areas are as follows:

<u>Sub-Area</u>	<u>Amount</u>
Brewster/Joy	\$1,700,000
Banks/Chapman	3,500,000
Bradford/Jarboe	<u>1,600,000</u>
Total	\$6,800,000

The Feasibility Report does not specify a particular funding method for the three sub-areas but does list a number of potential funding methods. These include creating a Local Assessment District, Community Development Block Grant Funds, Tax Increment Funds or funds that could be made available through the newly established San Francisco County Transportation Agency.

At a previous Economic and Social Policy Committee Meeting on the proposed legislation, the Bernal Heights East and South Slope Improvement Committee presented a list of seven conditions to the Board of Supervisors for the proposed project area. The Economic and Social Policy Committee requested that the Bernal Heights Committee work with the Redevelopment Agency to resolve the proposed conditions.

BOARD OF SUPERVISORS  
BUDGET ANALYST

**Comments:**

1. According to Ms. Robin Day, Chairperson of the Bernal Heights East and South Slope Improvement Committee and Mr. Tom Conrad of the Redevelopment Agency, a list of seven amended conditions were accepted by the Redevelopment Commission on October 9, 1990 (Attachment 2). According to a letter dated November 24, 1990 from Ms. Day, the Bernal Heights East and South Slope Improvement Committee endorses continued study and preparation of a plan for the area, including the seven outlined conditions.

2. Ms. Day indicates in her November 24, 1990 letter to the Board of Supervisors that the Bernal Heights East and South Slope Improvement Committee further requests that Esmeralda Street be included within the bounds of the area in which vacation of undeveloped street rights-of-way for private development is prohibited, in relation to condition #5. However, condition #5 references a particular section of the San Francisco Public Works Code (Section 787(b)), which states as follows:

The Board of Supervisors finds that unimproved streets in the Bernal Heights area are an important open space resource to the citizens in the area where the lots are small, the streets are narrow and space is at a premium. Therefore, the Board of Supervisors declares that it is the policy of the City and County of San Francisco not to vacate unimproved streets and sell, transfer or relinquish its interest in the underlying property to private ownership in the Bernal Heights area bounded by Army Street on the north, Mission Street on the west, Interstate 280 on the south and Highway 101 on the east except not to include Esmeralda Avenue, between Brewster Street and Holladay Avenue. These streets shall be kept as open space, unless the Board of Supervisors finds that the streets are needed for public passage and proposes to improve and accept them for the same purpose.

As reflected above, the City's existing Code specifically exempts Esmeralda Avenue. According to Mr. Conrad, the Redevelopment Agency would be opposed to the proposed amendment by the Bernal Heights East and South Slope Improvement Committee because Esmeralda Avenue contains the major portion of undeveloped area that the Redevelopment Agency could use to develop affordable housing. Furthermore, Mr. Conrad reports that the Board of Supervisors approved the existing Code Section 787(b), which specifically exempted Esmeralda Avenue because of the desire by several groups and individuals to develop this location for affordable housing.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

3. As mentioned above, the proposed resolution would adopt the Bernal Heights East and South Slope Revitalization Report and request that the City Planning Commission select a project area and formulate a preliminary plan for that project area. According to Mr. Conrad, the Planning Commission can select anywhere from a part of one of the three sub-areas to all three sub-areas for the project area. The preliminary plan would then be referred to the Redevelopment Agency to be drafted into a final Redevelopment Plan that would need to be approved by the Redevelopment Agency Commission and the Board of Supervisors.

4. The final Redevelopment Plan presented by the Redevelopment Agency for the Bernal Heights East and South Slope Survey Area would include detailed cost estimates and specify the proposed funding sources for the project. At this time, adoption of the proposed resolution by the Board of Supervisors does not commit the City to support a specific project or oblige the City to provide funds for any project in the Bernal Heights East and South Slope Survey Area.

5. Mr. George Williams of the City Planning Department states that the City Planning Department would be able to prepare the preliminary plan for the selected area in the Bernal Heights East and South Slope Survey Area utilizing about 40 to 50 hours of existing staff time.

**Recommendation:**

Approval of the proposed resolution is a policy matter for the Board of Supervisors.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**





BERNAL HEIGHTS  
EAST AND SOUTH SLOPE  
SURVEY AREA



KEY

SUB-AREA 1: BREWSTER/JOY

SUB-AREA 2: BANKS/CHAPMAN

SUB-AREA 3: BRADFORD/JARBOE



Community Resolution Regarding the  
Redevelopment Agency's Actions  
In the Bernal Heights  
East and South Slope  
Survey Area

As Amended by the Bernal Heights Committee  
And Accepted by the Redevelopment Agency  
As of October 9, 1990

Be it known, the citizens of Bernal Heights support the continuation of the Redevelopment process, as described in Redevelopment Commission Resolution # 295 -89 and the Revitalization Feasibility Report.

But, the community support is given if, and only if, the following detailed community protections are included in the Board of Supervisors' Resolution:

1. The Redevelopment agency will not use, or attempt to use, powers of eminent domain;
2. Infrastructure improvements will not result in increased taxes or assessments for current property owners without a majority vote of approval by those property owners;
3. Improvements on publicly owned land will give first consideration to "neighborhood serving" open space;
4. The Redevelopment plan will not increase total housing density in the survey areas by more than 8 units above the 86 infill housing units identified in the Agency's Feasibility Report;
5. The Redevelopment Agency will comply with existing City standards regarding street vacations within Bernal Heights, those standards defined by Sec. 787(b) of the San Francisco Public Works Code as amended by Ordinance 225-87, App. 6/19/87;
6. All East Slope and Bernal Heights design review and zoning controls shall apply to the redevelopment areas;
7. Continuation of each phase of the redevelopment planning process and implementation of each major policy and program action of the community redevelopment plan shall be preceded by review and recommendation of the Project Area Committee, which is composed of all members of the Bernal Heights East and South Slope Improvement Committee.\*

\*Said resolution was amended after representations were made by the Agency that the requirement of a vote by the community before significant phases of the redevelopment process could go forward would be illegal under California Redevelopment Law.

Item 4 - File 197-90-2

**Note:** This item was continued at the December 13, 1990, Economic and Social Policy Committee meeting.

This item is a hearing to consider the Festival 2000, with particular emphasis on the process of organization and oversight, what can be done to assist artists and organizations injured by the festival closing, and how can the City and County of San Francisco ensure the success of similar events in the future.

Ms. Kary Schulman, Director of the Hotel Tax Fund in the Chief Administrative Officer's (CAO) Office, reports that the Festival 2000 was originally organized in late 1988 through the arts community, the City's Arts Commission and the CAO's Office. One staff person from the Arts Commission and one artistic staff person were hired and a management committee was established consisting of approximately ten members representing the arts community, the Arts Commission, the Visitor's and Convention Bureau, the CAO's Office, etc. The Friends of the Arts was responsible as the fiscal agent for this organization.

According to Ms. Schulman, concerns arose regarding responsibility for the oversight of Festival 2000. Ms. Schulman reports that for fundraising purposes, a decision was made by the management committee to incorporate the Festival 2000 entity into a non-profit organization. By February, 1990, the organization was fully incorporated as a non-profit agency with an approximately ten member Board of Directors. Ms. Schulman reports that the only City representative on the non-profit agency's Board of Directors was one person from the Arts Commission. Although various allegations have been made concerning the expenditure of funds, Ms. Schulman advised the Budget Analyst that once the non-profit agency was created, the CAO did not play a primary role in Festival 2000.

The City, through the CAO's Office and the Hotel Tax Publicity and Advertising Fund, contributed an initial \$250,000 to Festival 2000. These funds were to be used as initial seed money to start-up the project. After the non-profit agency's Board of Directors was established, another \$250,000 was contributed from the Hotel Tax Fund, for a total City contribution to Festival 2000 of \$500,000. According to the City's Charter Section 3.201, the CAO has the responsibility to provide for the budgeting and control of Publicity and Advertising expenditures of the City and County.

The non-profit Festival 2000 organization was successful in raising an additional \$1.3 million from such sources as the Rockefeller Foundation, AT&T, PG&E, the National Endowment of the Arts, individual donors, ticket sales, etc. Together, Festival 2000 raised a total of approximately \$1.8 million from public and private donations.

Ms. Schulman reports that Festival 2000 was held in October 1990 sponsoring a total of 70 performances, including 25 different productions. These

BOARD OF SUPERVISORS  
BUDGET ANALYST

Memo to Economic and Social Policy Committee  
February 12, 1991 Economic and Social Policy Committee Meeting

performances were held in 15 different locations in the City, including Ft. Mason, Davis Symphony Hall, Opera House, Stern Grove, Theatre Artaud, the Orpheum Theatre, etc. Over 60,000 persons attended these events. Ms. Schulman reports that only one local event had to be cancelled.

However, Festival 2000 spent more funds than were raised through public and private donations and ticket sales. A total of approximately \$550,000 of creditor claims, (although these claims have not been validated), have been reported. The Festival 2000 organization has filed for bankruptcy.

According to Ms. Schulman, prior to the filing for bankruptcy, the CAO requested that the Board of Directors of Festival 2000 conduct an independent audit of the Festival's finances. Such an audit has not been completed. The State Attorney General is also investigating Festival 2000. The District Attorney is in the preliminary stages of their investigation of Festival 2000.

**Comment**

At the hearing held by the Economic and Social Policy Committee on December 13, 1990, the Committee requested that the Budget Analyst perform an examination and analysis of the Festival 2000 disbursement process and the disbursements and report back to the Committee. The Budget Analyst's report is attached.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

Examination and Analysis of Festival 2000 Disbursement Process  
and Disbursements

The Festival 2000 organization ceased to exist in November, 1990, when it filed for bankruptcy. All Festival 2000 records have been turned over to the Trustee in Bankruptcy. The Friends of the San Francisco Arts Commission (FSFAC) was the fiscal agent for Festival 2000. FSFAC, however, was also winding up their operations in December, 1990, and early January, 1991, in order to cease operating by mid-January, 1991. The Budget Analyst met with the sole, remaining employee of FSFAC upon her return from vacation on January 2, 1991, to discuss the disbursement process for payment of Festival 2000's expenditures and to examine the disbursement records. The Budget Analyst also examined Festival 2000's records that were in the care of the Trustee in Bankruptcy.

FSFAC functioned as the fiscal agent for Festival 2000, under a Memorandum of Understanding (MOU) between FSFAC, the City's Grants for the Arts Program and the San Francisco Arts Commission. The MOU was a prerequisite to Festival 2000 receiving grant funding for startup and administrative costs from Grants for the Arts. FSFAC received a fee from Festival 2000 for fiscal agent services. The MOU was to be replaced by a more formal document that would have provided greater definition of FSFAC's duties as fiscal agent, including a provision that FSFAC would continue as fiscal agent until Festival 2000 acquired nonprofit status. After a prolonged process of revising this document, it had still not been finally executed when Festival 2000 actually did attain nonprofit status or when Festival 2000 filed for bankruptcy.

As the fiscal agent for Festival 2000, FSFAC established controls over the disbursement processes. Disbursement requests were originated in the Festival 2000 offices and required up to two authorizing signatures depending on the amount requested. The signed disbursement requests were forwarded to FSFAC for payment. FSFAC would audit the disbursement requests and backup documentation before preparing the disbursement checks. Later when Festival 2000 obtained a computer, the checks were printed by the computer.

FSFAC maintained a detailed Cash Disbursements Register for the first five months of Festival 2000's operations from February through June, 1989. A summary of the Festival 2000 disbursements for that five-month period is as follows:

BOARD OF SUPERVISORS  
BUDGET ANALYST

Festival 2000 Disbursements - February through June, 1989

Salaries	\$39,696
Consultant Fees	6,409
Comptroller Fees (FSFAC)	12,562
Office Rent	3,492
Telephone	582
Telephone Equipment Rental	1,768
Office Furniture and Equipment	2,926
Computer Equipment Rental	1,880
Office Supplies	1,417
Photocopy Expense	792
Postage	319
Courier/Delivery Services	328
Printing	4,215
Travel and Entertainment	4,785
Transportation	706
Public Relations	699
Meetings and Conferences	4,270
Word Processing	1,038
Dues, Subscriptions and Memberships	130
Logo Design	<u>6,124</u>
Total	\$94,138

In July, 1989, Festival 2000 began using their computer to print disbursement checks and to account for disbursements. Festival 2000 accounted for disbursements primarily on a program basis rather than on an expenditure purpose basis as had been done by FSFAC. Monthly summaries on an expenditure purpose basis of disbursements after June 1989 are not available.

BOARD OF SUPERVISORS  
BUDGET ANALYST



Item 5 - File 197-90-2.1

**Note:** This item was continued from the January 23, 1991 Economic and Social Policy Committee meeting.

1. The proposed resolution establishes a Cultural Affairs Task Force to consider and review a proposal for creating a Department of Cultural Affairs. Such a department would coordinate and administer the City's cultural affairs.

2. The proposed resolution also states the following:

- Each member of the Board of Supervisors would select one person to serve on the Cultural Affairs Task Force.
- Operating and staffing costs of the Cultural Affairs Task Force shall not be paid by the City or any of the City's agencies.
- The Cultural Affairs Task Force will make a written report of its recommendations to the Board of Supervisors within one year of the effective date of the proposed resolution, whereupon the Task Force will be dissolved.

The authors of the proposed resolution have indicated that substitute legislation is being prepared that would alter these requirements. The substitute legislation 1) will provide greater definition of the qualifications of the Task Force members to be appointed by the Board of Supervisors, 2) will allow the Mayor to appoint one member and 3) will provide for representation on the Task Force from major City Departments involved in arts policies and/or funding.

2. A June, 1988 report by Ms. Julie Silliman entitled San Francisco Arts Policies, A Report, Analysis and Recommendations identifies a total of 23 separate San Francisco departments or agencies that have arts policies or programs as follows:

"When surveyed in 1988, 23 departments or commissions within the government structure of the City and County of San Francisco indicated that they have department policies or programs which are directly related to the arts. Each of those departments -- the Airport Commission, the Asian Art Museum, the Bureau of Building Inspection, the California Academy of Sciences, the Chief Administrative Officer, the City Attorney's Office, the Commission on Aging, the Department of City Planning, the Department of Public Health, the Fine Arts Museums of San Francisco, the Fire Department, the Mayor's Office of Community Development, the Mayor's Office of Housing, Economic Development and Small Business, the Police Department, the Public Library, the Public Utilities Commission, the Recreation and Parks Department, the Arts Commission, the Community Colleges, the Unified School District, the War Memorial and Performing Arts Center, the

BOARD OF SUPERVISORS  
BUDGET ANALYST

Redevelopment Agency, and the Government Operations Committee\* of the Board of Supervisors -- has its own policies, procedures, guidelines, or requirements which apply in various ways to arts organizations and artists. Each has its own purview, and for the most part, each acts independently."

3. The authors of the proposed resolution indicate that the proposed Task Force would examine various City departments involved in making policies concerning the arts or in funding the arts with the goal of consolidating the staffs and budgets involved with arts into a single City Department of Cultural Affairs. Such a consolidation would result in savings from the elimination of duplicate functions. The proposed Task Force would draft the legislation necessary for the creation of a new City Department of Cultural Affairs, similar to cultural affairs departments in the cities of New York and Los Angeles.

### Recommendation

Approval of the proposed resolution to establish a Task Force to consider and review a proposal for creating a Department of Cultural Affairs is a policy matter for the Board of Supervisors.

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\* Replaced by other Board of Supervisors Committees.



Item 6 - File 197-90-2.2

1. The proposed resolution would 1) urge the Mayor and the Chief Administrative Officer (CAO) to offer all possible assistance to Hotel Tax Funds arts recipients and San Francisco artists who have sustained financial harm as a result of their participation in Festival 2000, 2) urge the Mayor to urge the Arts Commission to develop a program for assisting those artists who sustained financial loss, 3) request the City Attorney to investigate whether the San Francisco Multicultural Festival (Festival 2000) had any form of insurance that would be available to assist the artists and organizations that sustained financial loss and 4) direct the CAO and the Arts Commission to report back to the Board of Supervisors by June 1, 1991, concerning their efforts. Festival 2000 was a festival held in October, 1990, to showcase and exhibit San Francisco's multicultural artists.

2. Festival 2000 has filed for bankruptcy because revenues from ticket sales and private donations and grants, when combined with \$500,000 in grants from the Hotel Tax Fund, were not sufficient to pay all expenses. Consequently, some artists who were scheduled to perform at the Festival 2000 were not paid.

3. According to documents filed by Festival 2000 with the Bankruptcy Court, Festival 2000 listed outstanding debts totalling approximately \$704,200 as follows:

Employee Wages	\$ 21,000
Taxes Payable	3,200
Secured Debt	197,000
Unsecured Debt	<u>483,000</u>
Total	\$704,200

4. Mr. Edward Walsh of the Trustee in Bankruptcy's Office indicates that persons having claims against Festival 2000 must submit their claims to the Bankruptcy Court by the deadline of May 25, 1991. Therefore, the \$704,200 total of outstanding debts listed by Festival 2000 may increase when all claims against Festival 2000 have been filed.

Comments

1. According to Ms. Kary Schulman of the CAO's Grants for the Arts Program, San Francisco arts organizations that are currently receiving grants from Grants for the Arts and that also sustained financial harm resulting from participation in Festival 2000 will be given special consideration when their 1991-92 grant requests are considered. Grants for the Arts is aware of 16 such organizations in these circumstances that claim to have suffered losses totalling approximately \$87,000.

2. The San Francisco Arts Commission has identified 17 individual San Francisco based artists that claim to have suffered financial losses totalling approximately \$38,000 as the result of participation in Festival 2000.

BOARD OF SUPERVISORS  
BUDGET ANALYST

3. The District Attorney's Office is in the preliminary stages of their investigation of Festival 2000. Ms. Schulman reports that the CAO's Grants for the Arts Program had requested an audit from the Festival 2000 Board of Directors after Festival 2000 began having financial problems and before Festival 2000 filed for bankruptcy. Mr. Schulman advises that Grants for the Arts Program has received no reply from Festival 2000's Board of Directors as of the writing of this report.

**Recommendation**

Approval of the proposed resolution is a policy matter for the Board of Supervisors.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

Item 8 - File 107-89-15

**Note:** This item was continued by the Economic and Social Policy Committee at its meeting of October 11, 1990.

This item is a hearing to consider the procedures and regulations concerning foster children, including the placement of foster children outside of San Francisco County, and to consider the effects of Senate Bill No. 1177 on the adoption of children.

The Department of Social Services (DSS) reports that it is DSS's policy to place children in homes as close to their own families as possible. However, DSS advises that San Francisco's foster children are placed outside of the County for various reasons as follows:

- (1) Placing a child in the most appropriate foster home, based on the child's individual needs, sometimes necessitates placing children outside of San Francisco.
- (2) Many of the African American foster families who originally lived in San Francisco have moved out of the City. In such cases, it is often times determined to be in the child's best interests to move with the foster family.
- (3) DSS uses African American home finding agencies which serve the entire Bay Area and many of their approved homes are located in other Counties.
- (4) The number of families that could potentially provide foster care in San Francisco is limited due to the high cost of housing in the City which makes it difficult for families to afford the type of housing required to provide foster care. The type of housing required is regulated by State licensing rules which stipulate that certain housing requirements be met. These requirements include but are not limited to restrictions on bedroom size, number of children who can sleep in a bedroom, number of exits, fire/security bars, and which floor that the children can sleep on.
- (5) Placing a child with relatives, which DSS considers a priority, sometimes requires placing the child outside of San Francisco. According to DSS, 51 percent of the children who are placed outside the County are placed with relatives who reside outside of San Francisco.

Senate Bill 1177, which was originally authored by Senator Royce, established conditions under which foster parents must be given consideration, along with other potential adoptive families, to become the adoptive parents of a foster child. The bill was drafted in response to a specific case involving a foster family that cared for a child with Down's Syndrome for 1 1/2 years. Children's Home Society (CHS), the agency in charge of the adoption proceedings, did not consider that foster family when it sought a permanent placement for the child. As a result, the foster family sued CHS.

DSS reports that a "corrected" version of SB 1177 was drafted to be known as Senate Bill 2188 (SB 1177 was withdrawn by the author in favor of the new, "corrected" version, SB 2188). The new SB 2188 specified that it does not pertain to dependent children of juvenile court cases, and since DSS handles only such dependent children of juvenile court cases, SB 2188 (which replaces SB 1177) did not apply to DSS. DSS reports that Senator Royce's staff advised DSS that Senator Royce believes current laws governing public adoption agency activities already sufficiently address the issue of foster parent adoption. SB 2188 was signed into law in 1990.

### Comments

1. DSS was unable to provide data to the Budget Analyst on the total number of children that are currently in placements within San Francisco and outside of San Francisco. However, Ms. Ann O'Reilly of DSS reports that a request has been made to the State Department of Social Services to provide this information, broken down by race and the number of children in different types of placements (i.e., foster homes, relatives and group homes). According to Ms. O'Reilly, this information should be available for the Economic and Social Policy Committee Meeting on February 12, 1991.

2. Although DSS could not provide current or overall data, DSS reports that as of June, 1990, a total of 2,793 African American children were in placements outside of San Francisco County. Of the 2,793 children, 2,385 were placed in foster homes (including placement with relatives) and 408 were placed in group homes. Of the children placed in foster homes, the placement breakdown is as follows:

	<u>No. of Children</u>	<u>Percent of Children</u>
Foster Parents	1,100	46.1%
Relative	1,044	43.8%
Legal Guardian (Relative)	123	5.2%
Legal Guardian (Non-Relative)	<u>118</u>	<u>4.9%</u>
Total	2,385	100%



3. In addition, the DSS reports that it is making the following efforts to recruit more African American foster and adoptive families in San Francisco:

- (a) Effective November 27, 1989, DSS reassigned recruitment responsibilities to a new Assistant Director, with foster children knowledge and experience in recruiting, training, certifying and supervising prospective foster and adoptive families. A full time recruiter position, which is currently vacant,\* is assigned to the Assistant Director. DSS has budgeted \$60,000 in its FY 1990-91 departmental budget to be used by the Assistant Director for recruitment purposes.
- (b) 1 FTE additional Child Welfare Worker, which is currently vacant,\* and .25 FTE additional clerical staff have been committed to recruitment activities effective January 1, 1990.
- (c) DSS issued a RFP, on June 15, 1990, to contract with a community-based agency with demonstrable expertise in recruiting African American foster and adoptive families. DSS reports that, as a result of the RFP process, Naomi Gray and Associates and Calvin Jones Jr. and Associates were selected to provide recruitment services. Both contracts were for a six-month period ending December 31, 1990. The contract with Naomi Gray and Associates was in the amount of \$21,000 and the contract with Calvin Jones Jr. and Associates is in the amount of \$14,000. Naomi Gray and Associates is a MBE/WBE firm and Calvin Jones Jr. and Associates is a MBE firm. DSS advises that, under these two contracts, the goal was to recruit 500 African American foster parents by December 31, 1990. 300 of the total 500 foster parents were to be recruited by Naomi Gray and Associates and the remaining 200 were to be recruited by Calvin Jones Jr. and Associates. According to DSS, the actual number of African American foster parents recruited under these two contracts was approximately 75 to 80.
- (d) A recruitment packet of brochures and other materials which is targeted to cultural and ethnic groups has recently been developed.
- (e) The DSS had previously reported that a recruitment effort was being considered which would involve recruiting GAIN Program participants as prospective foster parents. The GAIN Program provides education, training and support services to women who are recipients of AFDC. The Program is aimed at assisting these women in acquiring suitable employment. Ms. Dorothy Chen, Director of the GAIN Program, reports that the GAIN Program is no longer being considered as a viable resource for prospective foster parents, because foster parenting does not develop marketable skills that can be used to acquire employment.

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\* The Mayor's recent hiring freeze will prevent filling these DSS recruitment positions.

- (f) DSS continues to use the services of private placement agencies such as the Black Adoption Placement and Research Center. In addition, DSS has identified organizations such as churches, ministerial alliances, and Black employee groups which have access to potential African American foster and adoptive families.
- (g) DSS's recruitment staff participate in public events, the Annual Adoption Fair, street fairs, and community outreach activities at shopping malls and other public gatherings.
- (h) A \$400,000 Foster Care Reserve Fund was established during the 1990-91 budget. DSS is currently developing a comprehensive recruitment plan for use of these reserve funds to increase the number of quality, culturally relevant foster homes in San Francisco and to increase the number of homes available for children freed for adoption. The proposed plan would include grass roots recruitment, media efforts, staffing requirements and respite care for foster parents.

4. Foster care rates are set by the State. DSS advises that, based on a U.S. Supreme Court ruling, relatives are paid the same rate, to provide foster care, as are foster parents who are not relatives, providing that the child is eligible for Federal foster care funding. However under State law, relatives who provide foster care to children, who are eligible for County and/or State foster care funding only, cannot receive foster care funding for their services. However, these relatives would be eligible for AFDC. DSS reports that although a State bill to change this law was defeated last year, the Department is continuing to work with the State Legislature to get the law changed to provide that all relatives providing foster care would be eligible to receive the established foster care rate. The current foster care rates for long term placement are outlined below:

<u>Age of Foster Care Children</u>	<u>Monthly Base Rate</u>	<u>Monthly Rates At</u>		
		<u>Level I*</u>	<u>Level II*</u>	<u>Level III*</u>
0-4	\$345	\$694	\$835	\$977
5-8	375	494	588	683
9-11	400	529	624	717
12-14	444	588	683	776
15-18	484	641	741	834

\*The level of payment above the base rate is determined by the specific foster child's special needs, as related to emotional, social, developmental or medical problems.

Item 9 - File 27-90-2

**Note:** This item was continued from the September 12, 1990 Economic and Social Policy Committee meeting.

1. This item is a hearing to consider the compliance of the Human Rights Commission and the Airport with the Local Minority/Women Business Enterprise Ordinance.

2. Section 12D.3 of the Minority/Women/Local Business Ordinance outlines the policy of the City as follows:

"It is the policy of the City to ensure full and equitable opportunities for Minority Business Enterprises, Women Business Enterprises and local businesses to participate as prime contractors in the provision of goods and services to the City. This program is intended to correct identified discriminatory practices inherent in the City's procurement process and in the award of prime contracts to MBE/WBEs and to develop their status and capability as prime contractors of the City."

3. Section 12D.4 of the Ordinance provides that MBE and WBE bid preferences of the Ordinance shall be afforded to economically disadvantaged minority and women-owned businesses subject to the following exemptions:

1. When the Director of the Human Rights Commission finds, with the advice of the contract awarding authority, that needed goods or services are available only from a sole source which is not an MBE or WBE, and the prospective contractor is not currently disqualified from doing business with the City, or from doing business with any governmental agency, based on a failure to comply with MBE/WBE; or contract compliance requirements.
2. If the contract awarding authority certifies in writing to the Director that (a) pursuant to the Administrative Code Section 6.30, the contract is necessary to respond to an emergency which endangers the public health or safety, and (b) there is no time to apply the bid preference and no MBEs or WBEs capable of performing the emergency work are immediately available, provided that the contract awarding authority certification was made prior to the Controller's contract certification.



4. Section 12D.14(E) of the ordinance requires that if the Director of the Human Rights Commission finds, after investigation, that a City Department in the process of awarding a contract(s) has deliberately failed to comply with the provisions of the ordinance, a written Finding of Noncompliance, specifying the nature of the noncompliance, must be transmitted to the City Department, the Commission, the Mayor and the Board of Supervisors. Additionally, the Director of the Human Rights Commission must attempt to resolve any noncompliance through conference and conciliation. If such efforts fail to resolve the noncompliance, the Director of the Human Rights Commission must transmit a copy of the Finding of Noncompliance, along with a finding that conciliation was attempted and failed, to the Human Rights Commission. The Human Rights Commission must notify the City Department to take appropriate action to secure compliance.

5. Certain allegations regarding the Airport's compliance with the Minority/Women Business Enterprise (MBE/WBE) Ordinance and with the Human Rights Commission's enforcement of that Ordinance have been made by various contractors and by the Commission's Contract Compliance Officer who monitors the Airport's contracts.

6. The Controller's Audits Division, at the request of the Board of Supervisors, conducted a limited scope review of construction contracts administered by the Airport's Facilities, Operations and Maintenance Division during the period of 1984 through 1990. That review sought to obtain specific information on the following issues:

- a. The process of awarding Contract No. 1952;
- b. A review as to whether Airport contracts advertised as federally funded were funded from the City's General Fund;
- c. Procedures used for awarding emergency contracts.

7. Based on that review, the Controller's Audits Division issued an audit report, dated May 4, 1990, entitled "Contracting Practices and Procedures at San Francisco International Airport." The Report's conclusions regarding the specific issues cited above are as follows:

The process of awarding Contract No. 1952

Our review disclosed that the awarding of the Contract No. 1952 was based on the HRC approval.

A review as to whether Airport contracts advertised as federally funded were funded from the City's General Fund

Our tests did not identify any Airport contract advertised and awarded as federally funded which in fact was funded by the City's General Fund.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

Procedures used for awarding emergency contracts

Our tests indicate that there are procedures in place at the Airport in connection with emergency contracts that provide for participation by minority firms. However, it would be beneficial to have all the procedures involved in the processing of emergency contracts consolidated into a comprehensive checklist against which controls can be better monitored. Further, our tests indicate that the contract files are generally complete and that contracts are adequately monitored by the Facilities, Operations and Maintenance Division.

8. Attachment 1 is a letter from the Director of Airports to the Mayor pertaining to the Airport's 1988-89 MBE/WBE data.

9. Attachment 2, page one of three pages, is a summary of the Airport's MBE/WBE utilization report, as produced by the Human Rights Commission staff, for FY 1989-90. Pages two and three of Attachment 2 show more detailed MBE/WBE utilization information for the Airports Commission for FY 1989-90. Ms. Vicki Zemple of the Human Rights Commission has advised the Budget Analyst that these utilization figures do not include amounts that represent the participation of MBE/WBE firms in joint ventures with majority-owned firms because City departments, in general, did not submit that information.

10. Attachment 3 is a report from the Airports Commission to the Mayor's Office showing the Airports' utilization of MBE/WBE firms for the first six months of FY 1990-91.

11. The City Attorney's Office reports that at least one lawsuit and at least one administrative complaint have been filed relating to the Airport contracting issue.

BOARD OF SUPERVISORS  
BUDGET ANALYST

January 19, 1990

Honorable Art Agnos  
Mayor  
City of San Francisco  
Room 200, City Hall  
San Francisco, CA 94102

Dear Mayor Agnos:

In accordance with the City's MBE/WBE/LBE Ordinance 175-89, I am reporting the Airport's progress for the preceding Fiscal Year 1988-89 toward the achievement of MBE and WBE participation goals. As you know, the MBE/WBE/LBE Ordinance 139-84 was in effect which stipulated annual participation goals of 30% MBE and 10% WBE.

During 1988-89, our eligible contract dollars totaled \$23,873,844. Of this amount, \$8,477,115 (36%) was awarded to MBE primes and \$238,338 (1%) to WBE primes. Seven (7) concession leases were awarded: Cigarette Vending, California Products Shop (MBE), Mobile Catering A (MBE), Mobile Catering B (MBE), Duty Free Shop (In-Bond), Beauty Salon and Gifts/Newstand Shop under a Principal Concession lease with MBE/WBE subleasing goals as a Newsstand (MBE) and Sports Shop (WBE). As previously indicated, three of these leases were awarded to MBE primes and two subleases were awarded to an MBE and a WBE.

For further identification of contracts by ethnic breakdown and dollar amount, I have enclosed computer printouts for both the construction/professional services contracts and concession leases. This annual report was also submitted to the Human Rights Commission on July 28, 1989.

If you or your staff should need additional information about our annual report, please let me know.

Very truly yours,

Original signed by  
L. A. TURPEN

L. A. Turpen  
Director of Airports

Enclosures

LAT:SC:ma

cc: Admin; Chron; File  
2076D

## ANNUAL MBE/WBE REPORT - FISCAL YEAR 1988/89

## I. ANNUAL MBO CONTRACTING PERFORMANCE DATA

1.	Total eligible contract dollars awarded	\$23,873,884
2.	Total number of eligible contracts awarded	74
3.	Contract dollars awarded to MBE primes	\$ 8,477,115
4.	Percentage of contract dollars awarded to MBE's	36%
5.	Number of contracts awarded to MBE's	22
6.	Contract dollar amounts to:	
	Hispanic	\$ 4,429,714
	Asian/Pacific Islander	\$ 6,249,066
	Filipino	\$ 395,000
	Black	\$ 116,175
7.	Number of contracts awarded to:	
	Hispanic	5
	Asian/Pacific Islander	10
	Filipino	1
	Black	2
8.	Contract dollars awarded to WBE primes	\$ 238,338
9.	Percentage of contract dollars awarded to WBE's	1%
10.	Number of contracts awarded to WBE's	8
11.	Contract dollars awarded to WBE's:	
	Hispanic	\$ 61,000
	Asian/Pacific Islander	\$ 46,000
	White	\$ 101,975
	Black	\$ 29,363
12.	Number of contracts awarded to WBE's:	
	Hispanic	1
	White	3
	Black	2
	Asian/Pacific Islander	2

## II. ANNUAL MBO CONCESSION PERFORMANCE DATA

1.	Total dollar amount from concessions	\$21,979,749
2.	Total number of concessions awarded	7
3.	Dollar amount of concessions from MBE Prime	\$ 532,513
4.	Percentage of Prime Contracts awarded to MBE's	43%
5.	Number of concessions awarded to MBE's	3
6.	Estimated dollar amount received from MBE Primes:	
	Filipino	\$ 64,002
	Asian	\$ 171,511
7.	Dollar amount of concessions from WBE Primes	0
8.	Number of concessions awarded to WBE Primes	0
9.	Number of subleases awarded to MBE's	2
10.	Dollar amount received from MBE subleases	
	Asian	\$ 57,000
	Hispanic	\$ 240,000

SC:ma  
7/25/89  
1833D

## II. ANNUAL MBO CONCESSION PERFORMANCE DATA

1.	Total dollar amount from concessions	\$21,979,749
2.	Total number of concessions awarded	7
3.	Dollar amount of concessions from MBE Prime	\$ 532,513
4.	Percentage of Prime Contracts awarded to MBE's	43%
5.	Number of concessions awarded to MBE's	3
6.	Estimated dollar amount received from MBE Primes:	
	Filipino	\$ 64,002
	Asian	\$ 171,511
7.	Dollar amount of concessions from WBE Primes	0
8.	Number of concessions awarded to WBE Primes	0
9.	Number of subleases awarded to MBE's	2
10.	Dollar amount received from MBE subleases	
	Asian	\$ 57,000
	Hispanic	\$ 240,000

SC:ma  
7/25/89  
1833D



DEPARTMENT MBE/AE PARTICIPATION  
 FROM 8613 TO 8912  
 BASIS: 734,362,189

Rpt 84.1

2

Page 1 of 3

Attachment 2

## 25 - COUNTY CLERK

Page 1 of 3

MBE	CERTIFIED LBE	REGISTERED LBE	COMBINED LBE	TOTAL MON MBE/LBE	TOTAL AWARDS	TOTAL LBE
0	0	0	0	2,340	2,340	0
0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%

## 25 - MAYOR

Page 1 of 3

12,220	14,777	14,038	998	26,258	15,775	1,620,385
.7%	.9%	.8%	.1%	1.6%	.9%	97.5%
						1,661,720
						100.0%
						65,269
						3.9%

## 26 - COMMISSION ON AGING

Page 1 of 3

0	295	72,892	277	72,892	572	62,661
0.0%	.2%	53.7%	.2%	53.7%	.4%	46.1%
						135,838
						100.0%
						32,698
						24.1%

## 27 - AIRPORT

Page 1 of 3

1,581,826	166,852	17,953,870	115,224	19,535,696	282,075	29,628,980
3.2%	.3%	36.4%	.2%	39.6%	.6%	60.0%
						49,391,240
						100.0%
						11,198,961
						22.7%

## 28 - ART COMMISSION

Page 1 of 3

7,101	0	0	0	7,101	0	186,588
3.7%	0.0%	0.0%	0.0%	3.7%	0.0%	96.3%
						193,689
						100.0%
						19,314
						10.0%

## 29 - CITY PLANNING

Page 1 of 3

0	483	11,423	6,133	11,423	6,615	359,937
0.0%	.1%	3.1%	1.6%	3.1%	1.8%	96.8%
						371,843
						100.0%
						273,687
						73.6%

## 30 - CIVIL SERVICE

Page 1 of 3

5,000	2,245	0	0	5,000	2,245	478,430
1.0%	.5%	0.0%	0.0%	1.0%	.5%	98.5%
						485,675
						100.0%
						238,947
						49.2%

## 31 - FIRE DEPARTMENT

Page 1 of 3

129,331	49,295	214,125	22,799	343,456	72,096	1,883,347
5.8%	2.2%	9.5%	1.0%	15.3%	3.2%	83.6%
						2,247,707
						100.0%
						584,293
						26.0%

## 32 - HATCH HATCHY PROJECT

Page 1 of 3

204,606	45,520	5,500	74,009	210,106	119,529	23,124,361
.9%	.2%	.0%	.3%	.9%	.5%	98.8%
						23,413,981
						100.0%
						766,638
						3.3%

## 33 - HEALTH SERVICE SYSTEM

Page 1 of 3

0	65,742	239	239	239	65,981	317,117
0.0%	17.2%	.1%	.1%	.1%	17.2%	82.6%
						383,098
						100.0%
						210,565
						55.0%

## 34 - HUMAN RIGHTS COMMISSION

Page 1 of 3

0	0	0	0	0	0	51,983
0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%
						51,983
						100.0%
						2,898
						5.6%

## 35 - MUNICIPAL RAILWAY

Page 1 of 3

925,251	275,978	4,474,158	303,608	5,399,409	579,586	42,555,865
1.9%	.6%	9.2%	.6%	11.1%	1.2%	87.8%
						48,443,129
						100.0%
						13,279,831
						27.4%

## 36 - PARKING &amp; TRAFFIC COMMISSION

Page 1 of 3

0	0	0	0	0	0	0
0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
						0
						0.0%
						0
						0.0%

1/31/91 11:04 pm

DEPARTMENT MBE/MBE PARTICIPATION BY LEVEL  
FROM 8913 TO 8912  
BASIS: 734,362,189

*Excluding  
Non-Politics & unions*

	MBE	CERTIFIED	MBE	REGISTERED	MBE	COMBINED	MBE	TOTAL	TOTAL	TOTAL
								NON MBE/MBE	AWARDS	LEB
<b>26 - MAYOR</b>										
PROF SVCS - MED	0	0	0	0	0	0	0	0	0	0
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
PROF SVCS - MIS	0	0	0	0	0	0	384,752	384,752	100.0%	0
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	100.0%	0.0%
<b>26 - COMMISSION ON AGING</b>										
EQUIPMENT & SUP	0	295	382	277	382	572	46,004	46,681	100.0%	23,298
	0.0%	.6%	.8%	.6%	.8%	1.2%	98.5%	100.0%	100.0%	49.9%
GENERAL SVCS	0	0	0	0	0	0	16,657	16,657	100.0%	9,400
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	100.0%	56.4%
PROF SVCS - AGC	0	0	72,500	0	72,500	0	0	72,500	100.0%	0
	0.0%	0.0%	100.0%	0.0%	100.0%	0.0%	0.0%	100.0%	100.0%	0.0%
<b>27 - AIRPORT</b>										
CONSTR/FAC MNTC	1,420,194	8,636	17,619,559	9,188	19,039,753	17,824	16,381,817	35,421,569	8,237,825	23,331
	4.0%	.0%	49.7%	.0%	53.8%	.1%	46.2%	100.0%	100.0%	23.3%
EQUIPMENT & SUP	88,527	142,906	89,813	87,204	178,340	230,107	5,570,266	5,946,358	1,329,636	22.4%
	1.5%	2.4%	1.5%	1.5%	3.0%	3.9%	93.7%	100.0%	100.0%	22.4%
FUELS, LUB & IL	0	0	0	0	0	0	327,100	327,100	100.0%	316,600
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	100.0%	96.8%
GENERAL SVCS	73,105	15,312	50,667	13,500	123,771	28,812	5,721,429	5,874,012	73,800	12.8%
	1.2%	.3%	.9%	.2%	2.1%	.5%	97.4%	100.0%	100.0%	12.8%
PROF SVCS - AGC	0	0	11,500	0	11,500	0	48,000	59,500	11,500	19.3%
	0.0%	0.0%	19.3%	0.0%	19.3%	0.0%	80.7%	100.0%	100.0%	19.3%
PROF SVCS - ARC	0	0	161,000	0	161,000	0	63,512	224,512	179,700	80.0%
	0.0%	0.0%	71.7%	0.0%	71.7%	0.0%	28.3%	100.0%	100.0%	80.0%
PROF SVCS - COM	0	0	16,000	0	16,000	0	111,722	127,722	20,000	16.4%
	0.0%	0.0%	12.5%	0.0%	12.5%	0.0%	87.5%	100.0%	100.0%	16.4%
PROF SVCS - FIN	0	0	0	0	0	0	203,300	203,300	0	0
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	100.0%	0.0%
PROF SVCS - LEG	0	0	0	0	0	0	149,250	149,250	0	0
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	100.0%	0.0%
PROF SVCS - MED	0	0	0	0	0	0	48,600	48,600	0	0
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	100.0%	0.0%

DEPARTMENT MBE/WBE PARTICIPATION BY LEVEL  
FROM 8813 TO 8912  
BASIS: 734,362,189

	CERTIFIED		REGISTERED		COMBINED		TOTAL	TOTAL	TOTAL
	MBE	WBE	MBE	WBE	MBE	WBE	NON MBE/WBE	AWARDS	LBE
27 - AIRPORT									
PROF SVCS - MIS	0	0	5,332	5,332	5,332	5,332	1,003,984	1,009,316	350,000
	0.0%	0.0%	.5%	.5%	.5%	.5%	99.5%	100.0%	34.7%
20 - ART COMMISSION									
CONSTR/FAC MNTC	0	0	0	0	0	0	2,945	2,945	0
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%
EQUIPMENT & SUP	0	0	0	0	0	0	16,875	16,875	3,566
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	21.1%
GENERAL SVCS	7,101	0	0	0	7,101	0	101,501	108,602	15,748
	6.5%	0.0%	0.0%	0.0%	6.5%	0.0%	93.5%	100.0%	14.5%
PROF SVCS - MIS	0	0	0	0	0	0	65,267	65,267	0
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%
29 - CITY PLANNING									
EQUIPMENT & SUP	0	483	6,133	6,133	6,133	6,615	134,130	140,745	84,201
	0.0%	.3%	4.4%	4.4%	4.4%	4.7%	95.3%	100.0%	59.0%
GENERAL SVCS	0	0	5,291	0	5,291	0	61,710	67,001	29,916
	0.0%	0.0%	7.9%	0.0%	7.9%	0.0%	92.1%	100.0%	44.7%
PROF SVCS - ARC	0	0	0	0	0	0	160,482	160,482	159,570
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	99.4%
PROF SVCS - COM	0	0	0	0	0	0	3,615	3,615	0
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%
30 - CIVIL SERVICE									
EQUIPMENT & SUP	0	2,245	0	0	0	2,245	212,284	214,529	189,758
	0.0%	1.0%	0.0%	0.0%	0.0%	1.0%	99.0%	100.0%	88.5%
GENERAL SVCS	5,000	0	0	0	5,000	0	86,536	91,536	49,189
	5.5%	0.0%	0.0%	0.0%	5.5%	0.0%	94.5%	100.0%	53.7%
PROF SVCS - MCM	0	0	0	0	0	0	21,850	21,850	0
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%
PROF SVCS - MIS	0	0	0	0	0	0	157,760	157,760	0
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%
31 - FIRE DEPARTMENT									

REPORT TO MAYOR ON MBE, WBE, LBE PERFORMANCE  
~~QUARTERLY~~ <sup>SIX MONTH</sup> REPORT ON GOOD FAITH EFFORTS

DATE: \_\_\_\_\_

DEPARTMENT/AGENCY FILING REPORT Airports Commission

NAME OF PERSON FILING REPORT Sandra Crumpler  
TELEPHONE NUMBER 876-2215

FOR PERIOD COVERING July 1, 1990 TO December 31, 1990  
(IDENTIFY QUARTER BY FISCAL YEAR)

1. TOTAL CONTRACT DOLLARS AWARDED BY  
DEPARTMENT, AGENCY, BOARD, COMMISSION \$ 9,734,553
  - a. CONTRACT DOLLARS AWARDED TO  
NON-PROFITS. \$ 0
  - b. CONTRACT DOLLARS AWARDED BASED ON  
WAIVERS, EXCLUSIONS, SOLE-SOURCE  
EXCEPTIONS \$ 65,275 (Emergency)

NET TOTAL (1. minus a & b) \$ 9,669,278
2. PRIME CONTRACT DOLLARS AWARDED TO ALL  
MINORITY-OWNED BUSINESSES (MBE) \$ 2,562,628

PERCENTAGE TO NET TOTAL 26 %

  - a. SAN FRANCISCO-BASED  
BUSINESSES \$ 2,525,264
  - b. NON-SAN FRANCISCO-BASED  
BUSINESSES \$ 37,364
3. PRIME CONTRACT DOLLARS AWARDED TO ALL  
WOMAN-OWNED BUSINESSES (WBE) \$ 558,143

PERCENTAGE TO NET TOTAL 6 %

  - a. SAN FRANCISCO-BASED  
BUSINESSES \$ 546,168
  - b. NON-SAN FRANCISCO-BASED  
BUSINESSES \$ 11,975



Item 10 - File 109-88-3

**Note:** This item was continued at the January 23, 1991 Economic and Social Policy Committee Meeting.

**Departments:** Public Utilities Commission (PUC)  
Water Department  
Residential Rent Board

**Item:** The proposed ordinance would amend Sections 37.3 and 37.8 of the City's Administrative Code to permit landlords to pass through to tenants penalties for exceeding water allotments.

**Description:** The City's Residential Rent Stabilization and Arbitration Ordinance (Chapter 37 of the Administrative Code) currently allows landlords to increase tenant rents annually by an amount based on the change in the Consumer Price Index (CPI) over the proceeding 12 months. This rent increase, regardless of the change in the CPI, shall be a minimum of four percent and a maximum of seven percent. Increases for gas and electricity may be passed through directly to tenants over and above the permitted annual rent increase. Increases for water and sewer service, however, are considered part of operating and maintenance expenses and are deemed to be included in the annual rent increase. Raising rent more than the granted annual rent increase based upon increased operating and maintenance expenses requires approval from the Residential Rent Board.

Because of the lack of rainfall in the winter of 1989-90, the City adopted a water rationing plan on May 5, 1990. Previously, the City had adopted a water rationing plan for the period April 28, 1988 through May 9, 1989. To implement the rationing plan, the PUC established water use allotments and a schedule for excess use charges for customers using water in amounts greater than their prescribed allotments. In order to allow landlords time to implement conservation programs, the first penalties were not issued until August 1990.

The Rent Ordinance, which was adopted over ten years prior to the rationing program, does not address the issue of Water Department penalties for exceeding water allotments. Consequently, landlords were not permitted to pass excess water use penalties incurred by tenants on to tenants but rather the landlords had to pay the penalties themselves.

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The proposed ordinance would permit landlords to pass through any established Water Department penalties for excessive water use to tenants above and beyond the allowable annual rent increase under the following conditions: 1) penalties could only be imposed upon tenants who occupied the building during the penalty period and 2) the penalties would have to be pro-rated on a per unit basis. Rent increases due to water penalty charges would not become part of a tenant's base rent. The proposed ordinance would also direct the Residential Rent Board to adopt regulations to implement the pass-through of the water penalty charges.

**Comments:**

1. According to Mr. Carlos Jacobo of the Public Utilities Commission, the Water Department billed approximately \$3.3 million in water penalties for the period August 1 through October 31, 1990 for all users in San Francisco (commercial, industrial, single residences and multi-residential buildings). While no breakdown was available for the amounts of fines for each user category, 83 percent or 86,586 of the 104,320 residential customers were in compliance with their allotments and 75 percent or 26,447 of 35,263 multi-residential buildings were in compliance.

2. Data collected by the Water Department from October 1988 through May 1989 during the last water rationing period indicated that a total of \$1,706,000 in excess use charges was assessed for multi-residential buildings only. Water Department records indicate that at that time there were 31,158 apartment buildings with a total of 194,123 living units in San Francisco. Over the eight-month period for which data is available, there was a per capita (living unit) water penalty assessment of \$8.79 or approximately \$1.10 per month.

3. The proposed ordinance would allow pass-through of water penalty charges for multi-residential buildings on a pro-rated basis for individual tenants. Mr. Joe Grubb of the Residential Rent Board indicates that the Rent Board would have concerns over the provisions of the proposed ordinance because it would create no incentive for individual tenants in multi-residential buildings to conserve water. The Rent Board has previously indicated by letter to the Board of Supervisors that it supports the elimination of penalties for multi-unit buildings where water is not individually metered.

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4. The proposed ordinance would allow landlords to pass-through all water penalty charges to tenants. This would create no incentive for landlords to take any steps to improve water conservation within their properties. Mr. John Mullane of the Water Department states that there are a number of low-cost measures that landlords can employ, such as installing flow restrictors in shower heads, to encourage water conservation. Mr. Mullane added that the Water Department thought that a more equitable proposal that would achieve the greatest amount of water conservation would be a 50 percent split in penalties between landlords and tenants.

**Recommendation:** The proposed ordinance is a policy matter for the Board of Supervisors.



Items 12, 13 and 14 - Files 115-91-2.1, 81-90-3 and 115-91-2

**Items:** The proposed resolution would adopt a Final Negative Declaration, finding and determining that the addition of Planning Code Section 249.9 to establish an Affordable Housing Special Use District and the construction of 18 affordable housing units will have no significant impact on the environment; and adopting and incorporating findings of the Final Negative Declaration (File 115-91-2.1).

The proposed ordinance would amend Part II, Chapter II of the San Francisco Municipal Code by adding a new Section 249.9, to create an Affordable Housing Special Use District (File 81-90-3).

The proposed ordinance would adopt changes in property use classification as an amendment to the City's Zoning Map of property located at 3400 16th Street from RM-2 District (Mixed Residential, Moderate Density) to an RM-2 District (Mixed Residential, Moderate Density) and the 16th and Church Streets Affordable Housing Special Use District (File 115-91-2).

**Location:** 3400 16th Street, northwest corner of Church Street;  
Assessor Block 3558, Lots 8 and 9

**Description:** Catholic Charities, a non-profit organization, is proposing to develop a four-story apartment building containing 18 family-sized rental units, affordable to lower income households on the subject 16th and Church Streets site. As required by the City's Planning Code, this project would include a ground floor garage and provide one off-street parking space per unit. The existing property, owned by the Catholic Archdiocese of San Francisco, contains a vacant office and warehouse, which is not a currently permitted use in this area. In addition, the existing property was damaged during the October, 1989 Loma Prieta earthquake and is now proposed to be demolished.

The proposed resolution (File 115-90-2.1) would adopt the Negative Declaration for the proposed Affordable Housing Special Use District and adopt the proposed project finding that the project would have no significant impact on the environment. This environmental review was conducted by the Department of City Planning pursuant to the California Environmental Quality Act (CEQA) and Chapter 31 of the City's Municipal Code. The Final Negative Declaration was issued on December 19, 1990.

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The proposed ordinance (File 81-90-3) would amend Section 249.9 of the Municipal Code to provide for the creation of an Affordable Housing Special Use District located at the northwest corner of 16th and Church Streets. According to the legislation, the following provisions would apply to the proposed Affordable Housing Special Use District:

1. Any housing developer who agrees to construct at least 20 percent of the total units of a housing development for low income households or ten percent of the total units of a housing development for very low income households, would be entitled to a housing density increase upon approval by the City Planning Commission as a conditional use.
2. With the exception of rear yard requirements, all provisions of the Planning Code for residential development would continue to be applicable, including parking, setback, open space, and height and bulk standards. The proposed legislation provides that modification to or exception from otherwise applicable requirements regarding rear yards may be appropriate in the interest of furthering the critical goal of creating affordable housing, through approval of a conditional use permit from the Planning Commission.
3. The proposed provisions of Section 249.9 would remain in effect until December 31, 1995.

The proposed ordinance (File 115-90-2) would change the zoning classification for the subject property from the current "RM-2 (Mixed Residential, Moderate Density) District" to an "RM-2 (Mixed Residential, Moderate Density) District and the 16th and Church Streets Affordable Housing Special Use District."

**Comments:**

1. The project sponsor, Catholic Charities, in an effort to maximize the number of affordable housing units, is proposing to develop the allowable 15 units (as permitted under the existing RM-2 zoning), plus an additional three units allowable under the State of California's Housing Density Bonus Law (State Government Code Section 65915). The State Density Bonus Law provides that a local government shall grant a density of at least 25 percent to a developer of a development agreeing to construct at least:

- 20 percent of the units for low-income households; or
- 10 percent of the units for very low-income households; or
- 50 percent of the units for senior citizens.

Catholic Charities is proposing to construct all 18 units of housing for rent to low- or very low-income families.

2. Therefore, according to Mr. Larry McDonald of the Department of City Planning, the Planning Commission approved a conditional use permit for this project on January 31, 1991 which granted a density bonus of 25 percent over the allowable 15 units that would otherwise be permitted as a principal use in the district. Twenty-five percent of the allowable 15 units represents the proposed three additional units ( $15 \times 0.25 = 3.75$  rounded down to 3), for a total of 18 units. The conditional use permit also allowed four of the proposed 18 parking spaces to be provided within the rear yard, as an exception to the City's rear yard requirements. Mr. McDonald notes that the conditional use was granted by the Planning Commission subject to approval by the Board of Supervisors of the legislation that is now being considered.

3. According to Catholic Charities' estimates, based on 1990 income levels, the unit mix and rent levels for the proposed 18-unit project are as follows:

<u>Number of Units</u>	<u>Unit Size</u>	<u>Household Size</u>	<u>Monthly Rent</u>
10	2 Bedroom	2-3 Persons	\$308-\$462
6	3 Bedroom	3-5 Persons	328- 499
2	4 Bedroom	5+ Persons	366- 559

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Memo to Economic and Social Policy Committee  
February 12, 1991 Economic and Social Policy Committee Meeting

4. According to Mr. Joel Lipski of the Mayor's Office of Housing, the sources of funding for the proposed project are as follows:

\$ 600,000	Redevelopment Agency's Tax Increment Housing Fund
1,115,000	State Rental Housing Construction Program (Proposition 84)
1,421,191	Federal low income housing tax credits (net proceeds over ten years)
<u>41,705</u>	Catholic Charities
\$3,177,896	Total

5. Mr. Lipski reports that the Mayor's Office of Housing evaluates affordable housing projects based on a per unit contribution of local funds. According to Mr. Lipski, the average local contribution per unit has been approximately \$25,000. The City's contribution of \$600,000 (Redevelopment Agency's Tax Increment Housing Fund), divided by the proposed 18 units of housing represents a per unit local contribution of \$33,333. Mr. Lipski advises that the proposed project's local per unit contribution is higher because all of the proposed units are two bedrooms or larger, designed for family housing, in contrast to many of the previous affordable housing unit projects which have consisted of smaller studio and one bedroom units.

6. According to Mr. Lipski, construction of the project is anticipated to begin by June, 1991 and to be completed in 1992.

**Recommendation:** Approval of the proposed legislation is a policy matter for the Board of Supervisors.

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Item 16 - File 196-90-8

1. The proposed resolution would urge the Judges of the Municipal Court to increase the bail amount set for violation of Section 21453 (a) of the California Vehicle Code, for not stopping at a red light, by \$414 from \$96 to \$500 or approximately a 431 percent increase.

2. Bail is not a fine. Bail ensures either a court appearance by the accused traffic violator or payment of the City's maximum fine for the violation. If the accused appears in court, the bail could be returned if the accused violator is innocent. If the accused violator is guilty, the accused violator may prefer to attend traffic school instead of paying the fine, or the fine could be reduced at the discretion of the judge. Bail monies, in lieu of the fine, may be retained by the Municipal Court if the offender does not make a court appearance. The accused violator has the option in San Francisco of not paying bail prior to appearing in court. In such cases the accused violator pays only the fine or agrees to attend traffic school. The bail amount for not stopping at a red light is set at the same amount as the City's maximum fine, which is currently \$96.

3. The current bail was set by the Judges of the Municipal Court in April, 1990 and made effective July 1, 1990. The Judges of the Municipal Court set bail amounts each April. These amounts become effective July 1. Mr. Gordon Park-Li of the Municipal Court reports that the bail amount will probably remain at the current level of \$96 for FY 1991-92.

4. In 1990, 13,613 persons violated Section 21453 (a). Mr. Park-Li reports that the Municipal Court does not maintain statistics on the amount of revenue collected from each type of violation. Further, each violator can have a different fine or no fine if the violator chooses to attend traffic school. Therefore, the Municipal Court cannot provide the related revenues collected from these traffic violations.

Comments

1. Mr. Park-Li reports that the Judicial Council of California establishes annual guidelines to create uniform bail amounts State-wide. The 1991 Judicial Council of California guidelines set bail for a violation of Vehicle Code 21453 (a) at \$90 plus or minus 20 percent of \$90 or \$18. Therefore, according to the guidelines, bail should be set between \$72 and \$108 for violating Section 21453 (a), not stopping at a red light. The Judges of the Municipal Court use the Judicial Council of California guidelines to establish the annual bail amounts. According to Mr. Park-Li, these guidelines are not legally binding. In fact, there is nothing prohibiting the Judges of the Municipal Court from setting bail amounts higher than the maximum fine.

2. The City may retain bail amounts in lieu of the fine in amounts that exceed the City's maximum fine only when the accused violator pays the bail and does not make a court appearance. Therefore, there would be an increase in revenue to the City if the bail amount were increased to \$500 when the accused violator pays the bail and does not appear in court. As previously noted, because the Municipal

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Court does not maintain statistics on the amount of revenue collected for each type of traffic violation, the total increase in revenue that would be generated cannot be fairly estimated. Mr. Robert Curl of the Municipal Court advises that increasing bail to \$500 could result in more people attending court to pay the fine of \$96 rather than pay the bail of \$500. Furthermore, Mr. Curl advises that if the bail were set at a higher rate than the fine, the Court may have to reimburse the difference to those violators who initially pay the \$500 bail but ultimately end up paying a lesser fine amount.

3. The Judicial Council of California guidelines set bail amounts roughly equal to the maximum fine amounts allowed under California Vehicle Code 42001 (1). Maximum fine amounts a local jurisdiction can set for violation of Section 21453 (a) listed under California Vehicle Code 42001 (1) are as follows:

First Offense:	\$100
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Second Offense within one year of the first offense:	\$200
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Third offense within one year after two offenses:	\$250
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As previously noted, San Francisco's maximum fine for a first offense of Section 91453 (a) is currently \$96.

### Recommendation

Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Item 17 - File 174-90-7

**Item:** Resolution establishing a task force to study and advise the Board of Supervisors on the effect of large retail stores which sell pharmaceutical drugs and personal toiletries ("large-scale drug stores") on neighborhood commercial shopping districts.

**Description:** According to the resolution, during the 20-year period between 1969 and 1989, the number of independent pharmacies in the City declined from 171 to 95 while the number of large-scale drug stores increased from five to 37. Concerns have been raised over the apparent proliferation of large-scale drug stores in neighborhood business areas in San Francisco.

To address these concerns, the proposed resolution would authorize the creation of a Task Force on large-scale drug stores. The Task Force would be composed of:

- 1 representative from the small business community
- 1 representative appointed by Supervisor Alioto
- 1 representative appointed by Supervisor Ward
- 1 representative appointed by the San Francisco Pharmacists Association
- 1 representative from a Large-Scale drug store
- 1 representative from the National Association of Chain Drug Stores.

Staff representatives from the Department of City Planning and the City Attorney's Office would assist the Task Force.

The Task Force would be responsible for:

- a) Identifying and inventorying existing large-scale drug stores.
- b) Determining the number and adequacy of off-street parking spaces provided and owned by each large-scale drug stores.
- c) Determining the geographic customer base.
- d) Determining the adequacy of off-street truck loading facilities.
- e) Determining the level of services provided by the stores to the neighborhood.

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The resolution also calls for the Task Force to submit a report with recommendations to the Board of Supervisors within 90 days.

**Comment:**

The resolution does not specify that any compensation is to be paid to the Task Force for its work. The resolution, however, does state that staff representatives from the Department of City Planning and the City Attorney's Office would assist the proposed Task Force. Since some City budgeted staff from the Department of City Planning and the City Attorney's Office will participate in the activities of the Task Force, an unknown amount of in-kind City General Fund costs would be incurred to provide such staffing assistance.

**Recommendation:** Approval of the proposed resolution is a policy matter for the Board of Supervisors.



Item 18 - File 124-91-1

1. The proposed ordinance would amend Article 12, Chapter XI, of the San Francisco Municipal Code (Traffic Code) by amending Section 202.C thereof to authorize issuance of additional contractor permits to licensed contractors who are not eligible for exclusive temporary use of parking meter zones under Section 202.E of the Traffic Code. The proposed ordinance would also transfer the authority to issue permits to use parking meter zones for construction vehicles from the Tax Collector to the Director of Parking and Traffic.

2. Section 202.C of the Traffic Code, Use of Parking Meter Zones by Construction Vehicles, currently authorizes the Tax Collector to issue to a contractor, upon written application, annual nontransferable parking permits for display upon a truck or van used primarily to transport equipment, personnel or materials necessary to a construction project. The Tax Collector is authorized to issue a maximum of eight such parking permits per licensed contractor.

3. The fee for the issuance of each parking permit is \$100 if purchased in the first six months of the year and \$75 if purchased in the last six months of the year.

4. Section 202.E of the Traffic Code, Permits for Exclusive Temporary Use of Parking Meter Zones, currently authorizes the Director of Public Works to issue a nontransferable permit for the exclusive temporary use of one or more parking meter zones. Such exclusive temporary use is permitted only for purposes such as building or roadway construction activities, use of debris boxes, and related purposes. Under Section 202.E, permits are not granted for the purpose of parking vehicles. The fee for issuance of such permits is \$4 per parking meter zone per day, including Sundays and holidays.

Comments

1. According to Ms. Anita Jin of the Tax Collector's Office, a total of \$128,040 was collected by the Tax Collector's Office in FY 1989-90 for fees from the issuance of permits to park construction vehicles under the provisions of Section 202.C. Ms. Jin reports that 683 contractors have current, unexpired permits for up to eight vehicles each.

2. Although Section 202.E of the Traffic Code authorizes, as cited in Paragraph 4 above, the Director of Public Works to issue permits for exclusive temporary use of parking meter zones, that responsibility has been transferred to the Department of Parking and Traffic, as a result of the transfer of the Traffic Engineering Bureau from the Department of Public Works to the Department of Parking and Traffic.

3. Mr. Lee Poteet of the Department of Parking and Traffic has advised the Budget Analyst that the provisions of Section 202.E have always been interpreted and enforced to permit vehicles that are used to transport construction and construction-related equipment to park in the exclusive use spaces, although the

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language of Section 202. E appears to prohibit such parking. According to Mr. Poteet, the issue addressed in the proposed amendment to Section 202.C is one of equity to contractors such as painters and decorators who have access to the permit provisions of Section 202.C but do not have access to the provisions of Section 202.E for their vans and trucks .

4. The proposed amendment to Section 202.C would permit those contractors who do not have access to the permit provisions of Section 202.E to obtain up to five additional parking permits to the eight currently authorized.

5. Mr. Poteet estimates that a maximum of 50 additional permits would be issued to contractors under the provisions of the amended Section 202.C. Mr. Poteet also reports that the heaviest use of the additional permits is expected to be in the downtown areas. The maximum annual revenue generated by a downtown parking meter is approximately \$4,050 (300 days multiplied by \$1.50 per hour multiplied by nine hours per day). As previously stated, the revenues due to the City from the fee imposed for the temporary use of parking meter zones is up to \$100 per vehicle per year. Thus, annual revenues to the City from the issuance of additional permits would be approximately \$5,000 (50 permits times \$100 per permit), whereas the potential maximum loss of annual revenue from parking meters would be \$202,500 (50 permits times \$4,050 per parking meter). However reportedly, the vehicles that would be issued permits under the proposed ordinance are parked for much less than a full day and those vehicles currently park in metered zones and therefore are frequently ticketed. For example, should the average number of actual vehicles parking under this permit method approximate 10 to 20 on a daily basis, the revenue loss would be between \$40,500 and \$81,000 annually, which is less than one percent (ranges between 0.43 percent and 0.85 percent) of the City's annual parking meter revenues.

6. In addition to the comparison of parking meter and permit fee revenues, revenues that flow to the City from property taxes, permit revenues, payroll taxes, sales taxes, and other taxes are relevant to the consideration of the fiscal impacts of the proposed amendment. Those revenues are impacted favorably by the work accomplished by those who would be accommodated by the proposed ordinance.

### **Recommendation**

Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

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Items 19, 20, and 21 - Files 181-91-1, 181-91-1.1, and 181-91-1.2

**Department:** Department of Public Works  
Department of City Planning

**Item:** Item 19 (File 181-91-1) is a resolution declaring intention to order the establishment of a pedestrian mall on Anthony Street, north of Jessie Street; and setting the date for a public hearing on the proposed pedestrian mall.

Item 20 (File 181-91-1.1) is a companion proposed resolution confirming the intention to order the establishment of a pedestrian mall on Anthony Street north of Jessie Street.

Item 21 (File 181-91-1.2) is a companion proposed ordinance authorizing the closing of Anthony Street north of Jessie Street to vehicular traffic, and accepting quitclaim deeds from abutting owners for vehicular access to their property, and establishing a pedestrian mall on Anthony Street north of Jessie Street.

**Description:** One Second Street, Incorporated (OSI) has requested permission to create and maintain a pedestrian mall on the portion of Anthony Street located north of Jessie Street in Assessor's Block 3798 (See attachment for map of proposed street closure). The proposed section of Anthony Street to be used as a pedestrian mall is a deadend section of the street consisting of approximately 3,100 square feet.

OSI will pay for all costs to develop, beautify, and maintain the mall area. Pursuant to the Pedestrian Mall Act of 1960, no costs are to be incurred by the City, according to Ms. Kate Hermann of the City Attorney's Office.

A total of four parcels adjoin the affected section of Anthony Street proposed to be closed for the pedestrian mall. Three of the four parcels are owned by OSI. The fourth parcel is owned by Mark S. and Marian K. Rodman. According to DPW, both owners of the adjoining properties have consented to the closing of the section of the street and have executed quitclaim deeds for vehicular access to their property.

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The Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) convened on August 9, 1990, and the Department of Parking and Traffic determined that the proposal would not significantly affect traffic and parking. On August 23, 1990, the Department of City Planning verified that the proposal is in conformity with the Master Plan, and found that the proposed mall is consistent with the Eight Priority Policies of City Planning Code Section 101.1.

OSI has paid a fee of \$2,500 to pay for the cost of all City departments that review the proposal.

**Comments:**

1. By authorizing the establishment of a mall on Anthony Street, the City enters into an agreement with OSI, who would hold the City harmless for any damage or claims resulting from the installation and maintenance of the pedestrian mall, except in any case of negligence or willful misconduct by the City, its agents or employees.
2. As stated above, once OSI has built the mall, maintenance of the mall area would be the responsibility of OSI. The street would no longer require maintenance by the City's Department of Public Works.
3. In contrast to vacating the street space, which would relinquish the City's right-of-way to the street, the proposed ordinance (File 181-91-1.2) would order the closure of Anthony Street north of Jessie Street to vehicular traffic. The City would retain the right to use the street space for traffic purposes if the need arose.
4. Ms. Hermann advises that the State Streets and Highways Code requires two resolutions that respectively declare and confirm the intent of the Board of Supervisors to order the establishing of a pedestrian mall on Anthony Street. The Streets and Highways Code also requires a public hearing on the proposed closure of Anthony Street and establishment of the mall. Once the public hearing is completed, the Board of Supervisors must wait 90 days before it can consider the resolution to confirm the intent to establish a mall and the ordinance to close the Street (Files 181-91-1.1 and 181-91-1.2). The Economic and Social Policy Committee meeting would serve as the public hearing. Ms. Hermann further advises that to conform to the requirements of the Streets and Highways Code, the Board of Supervisors should consider the resolution confirming intent to establish the mall and the ordinance to close Anthony Street on June 17, 1991, and

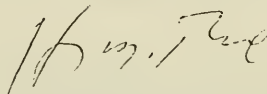
**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

Memo to Economic and Social Policy Committee  
February 12, 1991 Economic and Social Policy Committee Meeting

should therefore send the items without recommendation to the Board.

**Recommendation:** Approve the resolution declaring intention to order the establishment of a pedestrian mall on Anthony Street north of Jessie Street (File 181-91-1).

Based on the recommendation of the City Attorney, send the resolution confirming intent to order establishment of a pedestrian mall on Anthony Street north of Jessie Street (File 181-91-1.1), and the ordinance authorizing closure of Anthony Street north of Jessie Street to vehicular traffic (File 181-91-1.2) without recommendation to the Board of Supervisors.

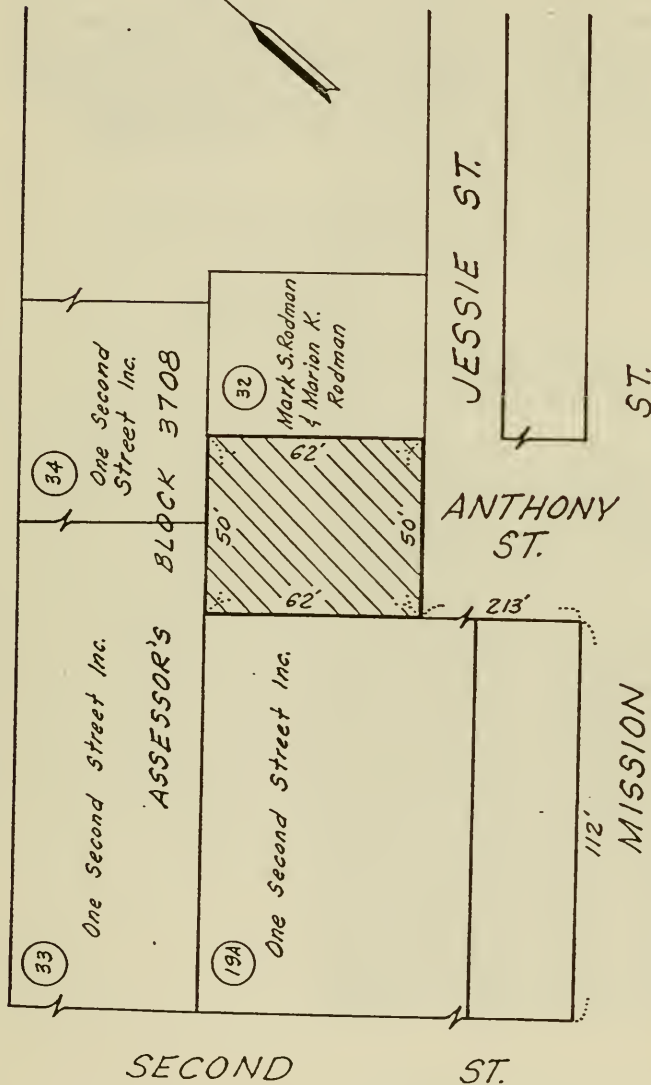


Harvey M. Rose


cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board  
Legislative Policy Analysts  
Chief Administrative Officer  
Controller  
Carol Wilkins  
Ted Lakey

BOARD OF SUPERVISORS  
BUDGET ANALYST

STEVENSON ST.



LEGEND

 Street Area Proposed To Be Used As Pedestrian Mall.

BY		DATE
DR.	T.T.C.	11-13-90
TR.	T.T.C.	11-14-90
CK.	GSC	12-11-92
APP.		
APP.	GML	1-17-91

CITY AND COUNTY OF SAN FRANCISCO		
DEPARTMENT OF PUBLIC WORKS - BUREAU OF ENGINEERING		
PROPOSED PEDESTRIAN MALL ON ANTHONY STREET NORTH OF JESSIE STREET		
APPROVED <i>[Signature]</i> DATE 11/17/91	CITY ENGINEER	SCALE 1" = 40' SHEET 1 OF 1
FILE	CHANGE	SUR 1090



Memo to Economic and Social Policy Committee  
February 12, 1991 Economic and Social Policy Committee Meeting

Items 19, 20, and 21 - Files 181-91-1, 181-91-1.1, and 181-91-1.2

REVISED

DOCUMENTS DEPT.

**Department:** Department of Public Works  
Department of City Planning

FEB 13 1991

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PUBLIC LIBRARY

**Item:** Item 19 (File 181-91-1) is a resolution declaring intention to order the establishment of a pedestrian mall on Anthony Street, north of Jessie Street; and setting the date for a public hearing on the proposed pedestrian mall.

Item 20 (File 181-91-1.1) is a companion proposed resolution confirming the intention to order the establishment of a pedestrian mall on Anthony Street north of Jessie Street.

Item 21 (File 181-91-1.2) is a companion proposed ordinance authorizing the closing of Anthony Street north of Jessie Street to vehicular traffic, and accepting quitclaim deeds from abutting owners for vehicular access to their property, and establishing a pedestrian mall on Anthony Street north of Jessie Street.

**Description:** One Second Street, Incorporated (OSI) has requested permission to create and maintain a pedestrian mall on the portion of Anthony Street located north of Jessie Street in Assessor's Block 3798 (See attachment for map of proposed street closure). The proposed section of Anthony Street to be used as a pedestrian mall is a deadend section of the street consisting of approximately 3,100 square feet.

OSI will pay for all costs to develop, beautify, and maintain the mall area. Pursuant to the Pedestrian Mall Act of 1960, no costs are to be incurred by the City, according to Ms. Kate Hermann of the City Attorney's Office.

A total of four parcels adjoin the affected section of Anthony Street proposed to be closed for the pedestrian mall. Three of the four parcels are owned by OSI. The fourth parcel is owned by Mark S. and Marian K. Rodman. According to DPW, both owners of the adjoining properties have consented to the closing of the section of the street and have executed quitclaim deeds for vehicular access to their property.

BOARD OF SUPERVISORS

BUDGET ANALYST



The Interdepartmental Staff Committee on Traffic and Transportation (ISCOTT) convened on August 9, 1990, and the Department of Parking and Traffic determined that the proposal would not significantly affect traffic and parking. On August 23, 1990, the Department of City Planning verified that the proposal is in conformity with the Master Plan, and found that the proposed mall is consistent with the Eight Priority Policies of City Planning Code Section 101.1.

OSI has paid a fee of \$2,500 to pay for the cost of all City departments that review the proposal.

**Comments:**

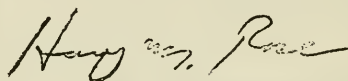
1. By authorizing the establishment of a mall on Anthony Street, the City enters into an agreement with OSI, who would hold the City harmless for any damage or claims resulting from the installation and maintenance of the pedestrian mall, except in any case of negligence or willful misconduct by the City, its agents or employees.
2. As stated above, once OSI has built the mall, maintenance of the mall area would be the responsibility of OSI. The street would no longer require maintenance by the City's Department of Public Works.
3. In contrast to vacating the street space, which would relinquish the City's right-of-way to the street, the proposed ordinance (File 181-91-1.2) would order the closure of Anthony Street north of Jessie Street to vehicular traffic. The City would retain the right to use the street space for traffic purposes if the need arose.
4. Ms. Hermann advises that the State Streets and Highways Code requires two resolutions that respectively declare and confirm the intent of the Board of Supervisors to order the establishing of a pedestrian mall on Anthony Street. The Streets and Highways Code also requires a public hearing on the proposed closure of Anthony Street and establishment of the mall. Such a hearing requires a public notice of at least 90 days. The public hearing has been scheduled for June 17, 1991. Once the public hearing is completed, the Board of Supervisors should then consider the resolution to confirm the intent to establish a mall and the ordinance to close the Street (Files 181-91-1.1 and 181-91-1.2). To conform to the requirements of the Streets and Highways Code, the Board of Supervisors should consider the resolution confirming intent to establish the mall and the ordinance to close Anthony Street after the public hearing on June 17, 1991, and should

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

therefore send the items without recommendation to the Board.

**Recommendation:** Approval of the resolution declaring intention to order the establishment of a pedestrian mall on Anthony Street north of Jessie Street (File 181-91-1) is a policy matter for the Board of Supervisors.

Based on the recommendation of the City Attorney, send the resolution confirming intent to order establishment of a pedestrian mall on Anthony Street north of Jessie Street (File 181-91-1.1), and the ordinance authorizing closure of Anthony Street north of Jessie Street to vehicular traffic (File 181-91-1.2) without recommendation to the Board of Supervisors.

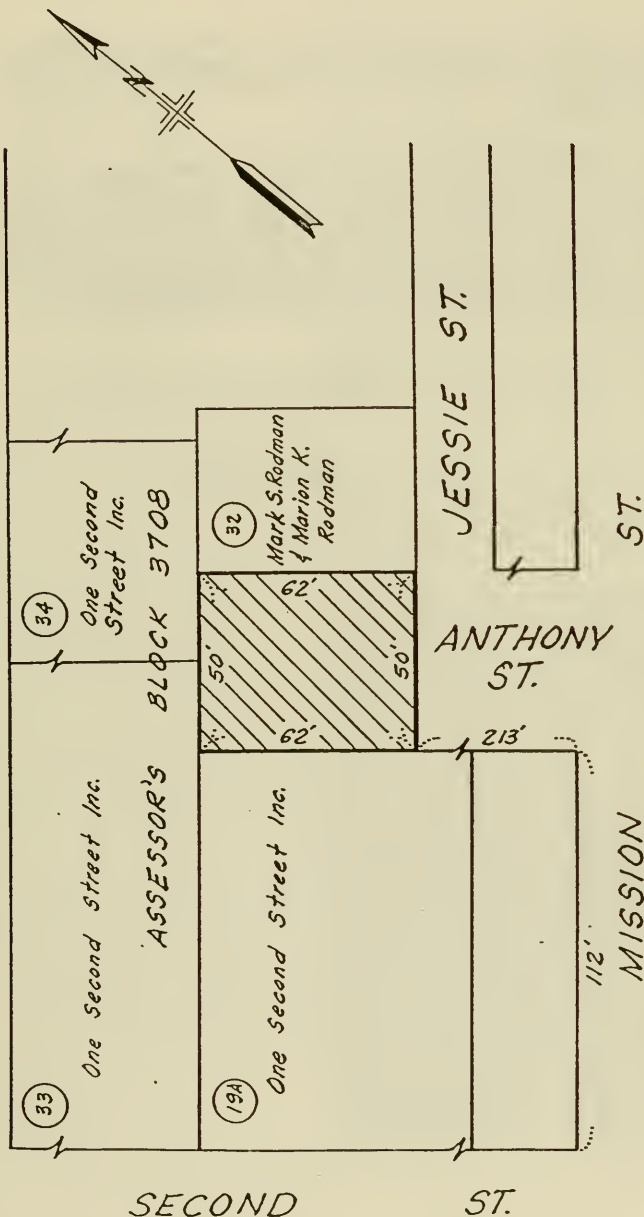


Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board  
Legislative Policy Analysts  
Chief Administrative Officer  
Controller  
Carol Wilkins  
Ted Lakey

STEVENSON

ST.



LEGEND

Street Area Proposed To Be Used As Pedestrian Mall.

BY		DATE	CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS - BUREAU OF ENGINEERING	
DR.	T.T.C.	11-13-90	PROPOSED PEDESTRIAN MALL ON ANTHONY STREET NORTH OF JESSIE STREET	
TR.	T.T.C.	11-14-90		
CK.	G.S.C.	12-11-90		
APP.	G.M.W.	1-17-91		
APPROVED		DATE 1/17/91		FILE
CITY ENGINEER		SCALE 1" = 40'		CHANGE
		SHEET OF SHEETS		SUR 1090

Memo to Economic and Social Policy Committee

February 12, 1990 Economic and Social Policy Committee Meeting

*ATTN: Gerry Roth*

Item 16 - File 196-90-8

Revised

1. The proposed resolution would urge the Judges of the Municipal Court to increase the bail amount set for violation of Section 21453 (a) of the California Vehicle Code, for not stopping at a red light, by \$414 from \$96 to \$500 or approximately a 431 percent increase.

2. Bail is not a fine. Bail ensures either a court appearance by the accused traffic violator or payment of the City's maximum fine for the violation. If the accused appears in court, the bail could be returned if the accused violator is innocent. If the accused violator is guilty, the accused violator may prefer to attend traffic school instead of paying the fine, or the fine could be reduced at the discretion of the judge. Bail monies, in lieu of the fine, may be retained by the Municipal Court if the offender does not make a court appearance. The accused violator has the option in San Francisco of not paying bail prior to appearing in court. In such cases the accused violator pays only the fine or agrees to attend traffic school. The bail amount for not stopping at a red light is set at the same amount as the City's maximum fine, which is currently \$96.

3. The current bail was set by the Judges of the Municipal Court in April, 1990 and made effective July 1, 1990. The Judges of the Municipal Court set bail amounts each April. These amounts become effective July 1. Mr. Gordon Park-Li of the Municipal Court reports that the bail amount will probably remain at the current level of \$96 for FY 1991-92.

4. In 1990, 13,613 persons violated Section 21453 (a). Mr. Park-Li reports that the Municipal Court does not maintain statistics on the amount of revenue collected from each type of violation. Further, each violator can have a different fine or no fine if the violator chooses to attend traffic school. Therefore, the Municipal Court cannot provide the related revenues collected from these traffic violations.

### Comments

1. Mr. Gordon Park-Li now advises that California Vehicle Code 40310 stipulates that bail may not be set in any amount in excess of the maximum fine exclusive of any penalty assessments. Therefore, the maximum bail may not be set above \$96, unless the maximum fine is set above \$96.

2. Mr. Park-Li reports that the Judicial Council of California establishes annual guidelines to create uniform bail amounts State-wide. The 1991 Judicial Council of California guidelines set bail for a violation of Vehicle Code 21453 (a) at \$90 plus or minus 20 percent of \$90 or \$18. Therefore, according to the guidelines, bail should be set between \$72 and \$108 for violating Section 21453 (a), not stopping at a red light. The Judges of the Municipal Court use the Judicial Council of California guidelines to establish the annual bail amounts.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

3. The Judicial Council of California guidelines set bail amounts roughly equal to the maximum fine amounts allowed under California Vehicle Code 42001 (1). Maximum fine amounts a local jurisdiction can set for violation of Section 21453 (a) listed under California Vehicle Code 42001 (1) are as follows:

First Offense:	\$100
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Second Offense within one year of the first offense:	\$200
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Third offense within one year after two offenses:	\$250
--	-------

As previously noted, San Francisco's maximum fine for a first offense of Section 91453 (a) is currently \$96.

### **Recommendation**

Approval of the proposed resolution is a policy matter for the Board of Supervisors. Based on the advice of Mr. Park-Li, should the Board decide to approve legislation urging the Judges of the Municipal Court to increase the bail, the maximum amount that the bail could be increased would be \$4, from \$96 to \$100, assuming that the maximum fine was also increased to \$100, as required by California Vehicle Code 40310.



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FEB 15 1991

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CALENDAR - (A-12-1-91) (7 RE)

MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, FEBRUARY 12, 1991 - 2:00 P.M.

ROOM 228, CITY HALL

MEMBERS: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

ABSENT: SUPERVISOR ALIOTO - ITEMS 11 - 16 and 18 - 21

CLERK: KAY GULBENGAY

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Economic & Social Policy Committee, and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or a member of the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item:

- (a) File 15-91-1. [Taxi Zones] Consideration of revocation taxi zones, various streets. (Department of Parking and Traffic)

Taxi Zones - Rescind

Taraval Street, north side, from 4 to 27 feet east of 19th Avenue (23-foot zone).

506 Broadway, north side, from 25 to 46 feet west of Kearny Street (21-foot zone).

- (b) File 18-91-1. [Stop Intersections] Consideration of establishment and revocation of Stop intersections, various streets. (Department of Parking and Traffic)

Stop Signs - Establish

Pioche Street and Oxford Street, northeast and southwest corners, stopping Pioche Street.

17th Avenue and Wawona Street, all corners, stopping 17th Avenue and Wawona Street traffic (makes this an all-way STOP).

Jack London Place (Center Place) and Taber Place, southeast and northwest corners, stopping Jack London Place (Center Place).

Folsom Street and Spear Street, southwest corner stopping Folsom Street (makes this an all-way STOP).

Stop Sign - Revoke

Winston Drive and Lake Merced Boulevard, northeast corner, stopping westbound Winston Drive right turns.





- (c) File 19-91-1 [Parking Regulations] Consideration of establishment of parking regulations, various streets. (Department of Parking and Traffic)

90 - Degree Angle Parking - Establish  
Mint Street, west side, from Jessie Street north to end.

DeHaro Street, west side, between 17th Street and Mariposa Street.

Motorcycle Parking Stalls - Establish  
Phelan Avenue, east side, from the north intersection with Cloud Hall Circle to 28 feet south (8 motorcycles spaces at 3.5 feet each)

- (d) File 20-91-3. [Traffic Regulation] Consideration of establishment of Traffic regulation, various streets. (Department of Parking and Traffic)

Tow - Away, No Parking Any Time - Establish  
Moulton Street, south side, from 136 to 300 feet west of Webster Street (164-foot zone).

No Left Turn - Establish  
California Street, eastbound at Sabin Place.

Sabin Place, southbound at California Street.

Yield Sign - Establish  
Winston Drive and Lake Merced Boulevard, northeast corner, for westbound Winston Drive right turns.

ACTION: Consent calendar recommended.

- (a) File 15-91-1. Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of committee entitled: "Rescinding location of taxicab stands, various streets." Recommended.
- (b) File 18-91-1. Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of committee entitled: "Designating and rescinding certain intersections as Stop intersections." Recommended.
- (c) File 19-91-1. Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of committee entitled: "Enacting parking regulations, various streets." Recommended.
- (d) File 20-91-3. Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of committee entitled: "Enacting traffic regulations, various streets." Recommended.

#### REGULAR CALENDAR

2. File 20-90-2. [Traffic Regulations] Resolution enacting traffic regulation, Commercial Street, between Montgomery and Leidesdorff Streets. (Department of Parking and Traffic)

Street Closed To Vehicular Traffic 11 A.M. to 2 P.M., Weekdays Establish

ACTION: Hearing held. Recommended.



3. File 161-90-3. [Bernal Heights Survey Area] Resolution adopting the Bernal Heights East and South Slope Revitalization Feasibility Report, subject to certain conditions, and requesting that the City Planning Commission select a project area and formulate a preliminary plan for the Bernal Heights East and South Slope Survey Area. (Supervisor Walker)

(Continued from 4/12/90)

ACTION: Hearing held. Recommended.

4. File 197-90-2. Hearing to consider the Festival 2000, with particular emphasis on the process of organization and oversight, what can be done to assist artists and organizations injured by the festival closing and how the City can ensure the success of similar events in the future. (Supervisor Hallinan)

(Continued from 12/13/90)

ACTION: Hearing held. Resolution (as presented by Supervisor Hallinan) prepared in and reported out of committee entitled: "Urging the Mayor, Chief Administrative Officer, the City Attorney to offer assistance to artists, art organizations, technicians, and staff who have sustained financial harm as a result of their participation in Festival 2000." Recommended. (Supervisor Gonzalez added as co-sponsor.)

5. File 197-90-2.1. [Cultural Affairs Task Force] Resolution establishing Cultural Affairs Task Force to make recommendations to the Board of Supervisors regarding a proposal to create a Department of Cultural Affairs. (Supervisors Hallinan, Gonzalez, Ward)

(Continued from 1/23/91)

ACTION: Continued to February 26, 1991 meeting at request of author.

6. File 197-90-2.2. [Festival 2000] Resolution urging the Mayor and the Chief Administrative Officer to offer all possible assistance to Hotel Tax Funds arts recipients and San Francisco artists who have sustained financial harm as a result of their participation in Festival 2000. (Supervisor Migden)

ACTION: Hearing held. Recommended.

7. File 115-89-6. [Referendum Approval for Downzoning] Ordinance amending City Planning Code Section 302 to require voter approval for zoning changes which would decrease the intensity or density of residential development. (Supervisor Kennedy)

(Continued from 9/12/90)

(Disapproved by City Planning Commission)

ACTION: Hearing held. Tabled.

8. File 107-89-15. Hearing to consider procedures and regulations concerning foster children, including placement of these children outside of San Francisco and the ramifications of Senate Bill 1177 regarding adoption of children. (Supervisor Kennedy)

(Continued from 10/11/90)

ACTION: Hearing held. Continued to call of the chair.



9. File 27-90-2. Hearing to consider the compliance of the Human Rights Commission and the Airport with the Local Minority/Women Business Enterprise ordinance. (Supervisor Kennedy)

(Continued from 9/12/90)

ACTION: Hearing held. Continued to call of the chair.

10. File 109-88-3. [Rent Ordinance] Ordinance amending Administrative Code by amending Sections 37.3 and 37.8 to permit landlords to pass through to tenants penalties for exceeding water allotment. (Supervisor Kennedy)

(Continued from 1/23/91)

ACTION: Hearing held. Amended (See File for details)  
New Title: "Amending the San Francisco Administrative Code by amending Sections 37.3 and 37.8 thereof to permit landlords to pass through to tenants fifty percent of the penalties for exceeding water allotment, provided the Water Department has inspected the tenants building." Recommended as amended. (Supervisor Migden dissented.)

11. File 40-90-16. [Residential Permit Parking] Resolution extending the boundaries of Residential Permit Parking Area "A" in the Telegraph Hill area and adding Bay Street, between Midway and Powell Streets, north side; Powell Street, between North Point and Bay Streets, east side; and Stockton Street, between North Point and Bay Streets, both sides, to the list of streets upon which time limitations shall apply. (Supervisor Nelder)

ACTION: Hearing held. Tabled.

12. File 115-91-2.1. [Negative Declaration] Resolution adopting a Final Negative Declaration, finding and determining that the addition of Planning Code Section 249.9 to establish an Affordable Housing Special Use District, and the construction of 18 affordable housing units after demolition of two office/warehouse structures, all at Lots 8 and 9 in Tax Assessor's Block 3558, will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration; companion measure to Files 81-90-3 and 115-91-2. (City Planning)

ACTION: Hearing held. Recommended to Board on Monday, March 4, 1991.

13. File 81-90-3. [Affordable Housing Special Use District] Ordinance amending City Planning Code by adding Section 249.9 to create an Affordable Housing Special Use District at Sixteenth and Church Streets. (Supervisors Ward and Gonzalez)

(Approved by City Planning Commission Resolution No. 12096 and No. 12097.)

ACTION: Hearing held. Amendment of the whole (as presented in committee) adopted. Entitled: "Amending Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) by adding Section 249.9 to create an affordable housing special use district at Sixteenth and Church Streets, and finding consistency with Planning Code Section 101.1." Recommended to Board on Monday, March 4, 1991.





14. File 115-91-2. [Zoning Map Amendment] Resolution adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 3400 16th Street, northwest corner at Church Street, Lots 8 and 9 in Assessor's Block 3558 from and RM-2 (Mixed Residential, Moderate Density) District to an RM-2 (Mixed Residential, Moderate Density) District and the Sixteenth and Church Streets Affordable Housing Special Use District; companion measure to Files 81-90-3 and 115-91-2.1. (City Planning)

ACTION: Hearing held. Recommended to Board on Monday, March 4, 1991.

15. File 171-90-2. Hearing to consider the timing of the "walk" signal at Van Ness Avenue and Lombard Street. (Supervisor Kennedy)

ACTION: Hearing held. Filed.

16. File 196-90-8. [Red Light Fine Increase] Resolution urging the Judges of the Municipal Court to increase the amount of bail set for violation of Section 21453(a) of the California Vehicle Code, not stopping at a red light. (Supervisor Kennedy)

ACTION: Hearing held. Amended on line 13 by deleting "from \$96.00 to \$500.00" and further amended on line 21 by adding "Resolved, The San Francisco Board of Supervisors urges the Judges of the Municipal Court to increase the amount of bail set for violation of Section 21453 (a) of the California Vehicle Code, not stopping at a red light as follows:

For a first offense	\$100.00
For a second offense within one year of the first offense	\$200.00
For a third offense within one year after two offenses	\$300.00."
Recommended as amended.	

17. File 174-90-7. [Large Scale Drug Stores] Resolution establishing a task force to study and to advise the Board of Supervisors on the effect of large retail stores which sell pharmaceutical drugs and personal toiletries ("large-scale drug stores") on neighborhood commercial shopping districts. (Supervisors Alioto and Ward)

ACTION: Hearing held. Recommended.

18. File 124-91-1. [Parking of Contractor's Vehicles] Ordinance amending Article 12, Chapter XI of the San Francisco Municipal Code (Traffic Code) by amending Section 202.C thereof, to authorize issuance of additional contractors permits to licensed contractors ineligible for exclusive temporary use of parking meter zones under Sec. 202.E and to transfer from the Tax Collector to the Director of Parking and Traffic the authority to issue permits to use parking meters zones for construction vehicles. (Supervisor Maher)

ACTION: Hearing held. Amendment of the whole (as presented in committee) adopted. Bearing same title. Recommended.

19. File 181-91-1. [Pedestrian Mall] Resolution declaration of intention to order the establishment of a pedestrian mall on Anthony Street north of Jessie Street; and setting date for public hearing for all persons interested in the proposed pedestrian mall. (Department of Public Works). (Companion measure to Files 181-91-1.1 and 181-91-1.2.)

ACTION: Hearing held. Recommended.



20. File 181-91-1.1. [Pedestrian Mall] Resolution confirming intention to order the establishment of a pedestrian mall on Anthony Street north of Jessie Street. (Department of Public Works). (Companion measure to Files 181-91-1 and 181-91-1.2.)

ACTION: To Board without recommendation on Monday, June 17, 1991 for consideration after public hearing.

21. File 181-91-1.2. [Pedestrian Mall] Ordinance closing Anthony Street North of Jessie Street to vehicular traffic, and accepting quitclaim deeds from abutting owners for vehicular access to their property, and establishing a pedestrian mall on Anthony Street north of Jessie Street. (Department of Public Works). (Companion measure to Files 181-91-1 and 181-91-1.1.)

ACTION: To Board without recommendation on Monday, June 17, 1991 for consideration after public hearing.



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Public Library, Documents Dept.  
ATTN: Gerry Roth

CITY AND COUNTY



OF SAN FRANCISCO

## BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

February 22, 1991

DOCUMENTS DEPT.

TO: Economic and Social Policy Committee

FEB 26 1991

FROM: Budget Analyst - Recommendations

SAN FRANCISCO  
PUBLIC LIBRARY

SUBJECT: February 26, 1991 Economic and Social Policy Committee Meeting

### Item 3 - File 197-90-2.1

**Note:** This item was continued from the February 12, 1991 Economic and Social Policy Committee meeting.

1. The proposed resolution establishes a Cultural Affairs Task Force to consider and review a proposal for creating a Department of Cultural Affairs. Such a department would coordinate and administer the City's cultural affairs.

2. The proposed resolution also states the following:

- Each member of the Board of Supervisors would select one person to serve on the Cultural Affairs Task Force.
- Operating and staffing costs of the Cultural Affairs Task Force shall not be paid by the City or any of the City's agencies.
- The Cultural Affairs Task Force will make a written report of its recommendations to the Board of Supervisors within one year of the effective date of the proposed resolution, whereupon the Task Force will be dissolved.

The authors of the proposed resolution have indicated that substitute legislation is being prepared that would alter these requirements. The substitute legislation 1) will provide greater definition of the qualifications of the Task Force members to be appointed by the Board of Supervisors, 2) will allow the Mayor to appoint one member and 3) will provide for representation on the Task Force from major City Departments involved in arts policies and/or funding.



2. A June, 1988 report by Ms. Julie Silliman entitled San Francisco Arts Policies. A Report, Analysis and Recommendations identifies a total of 23 separate San Francisco departments or agencies that have arts policies or programs as follows:

"When surveyed in 1988, 23 departments or commissions within the government structure of the City and County of San Francisco indicated that they have department policies or programs which are directly related to the arts. Each of those departments -- the Airport Commission, the Asian Art Museum, the Bureau of Building Inspection, the California Academy of Sciences, the Chief Administrative Officer, the City Attorney's Office, the Commission on Aging, the Department of City Planning, the Department of Public Health, the Fine Arts Museums of San Francisco, the Fire Department, the Mayor's Office of Community Development, the Mayor's Office of Housing, Economic Development and Small Business, the Police Department, the Public Library, the Public Utilities Commission, the Recreation and Parks Department, the Arts Commission, the Community Colleges, the Unified School District, the War Memorial and Performing Arts Center, the Redevelopment Agency, and the Government Operations Committee\* of the Board of Supervisors -- has its own policies, procedures, guidelines, or requirements which apply in various ways to arts organizations and artists. Each has its own purview, and for the most part, each acts independently."

3. The authors of the proposed resolution indicate that the proposed Task Force would examine various City departments involved in making policies concerning the arts or in funding the arts with the goal of consolidating the staffs and budgets involved with arts into a single City Department of Cultural Affairs. Such a consolidation would result in savings from the elimination of duplicate functions. The proposed Task Force would draft the legislation necessary for the creation of a new City Department of Cultural Affairs, similar to cultural affairs departments in the cities of New York and Los Angeles.

### Recommendation

Approval of the proposed resolution to establish a Task Force to consider and review a proposal for creating a Department of Cultural Affairs is a policy matter for the Board of Supervisors.

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\* Replaced by other Board of Supervisors Committees.

Item 4 - File 47-90-13

1. This is a request for a hearing to consider the proposal by the Parking and Traffic Department regarding the additional signage on the Lombard Street Garage.

2. The Lombard Street Garage, located at 2055 Lombard Street, has 205 stalls and serves approximately 5,800 vehicles per month. Seven of the 205 parking stalls are reserved for the exclusive use of the United States Postal Service. Currently, the City leases the operation of the garage to Allright Parking, a private firm which bid on the lease.

3. Mr. Kevin Hagerty of the Parking Authority reports that the Department intends to attach two signs to the Lombard Street Garage, one on each building corner facing Lombard Street. Each sign would contain the name of the Garage and the U.S. Post Office, a Garage tenant. The signs would protrude approximately 3.5 feet from the garage, perpendicular to Lombard Street, with the base of each sign approximately 13 feet above the sidewalk. Each sign would be approximately 16.5 feet in height. The final design has not yet been approved by the Art Commission.

4. The signs have been designed, fabricated, and installed under a \$20,000 personal services contract. The U.S. Post Office would pay \$6,000 of the \$20,000 if the approved sign contains the Post Office's name. The remaining \$14,000 would be funded from Off-Street Parking Funds allocated for construction of the Lombard Street Garage.

5. Preliminary mock signs were erected on a temporary basis. However, according to Mr. Hagerty, concerns regarding the design of the mock signs were raised by the adjacent property owner, Charles Moore, of McGuire Real Estate. Mr. Hagerty further reports that the Union Street Association and the Marina Neighborhood Association found the proposed signage appropriate, and according to Mr. Hagerty, the Associations believe the new signage will attract additional patrons to the Marina and Union Street commercial neighborhood districts.

Comments

The Budget Analyst has been informed by the Clerk of the Economic and Social Policy Committee that the intent of the Chair is to continue this item to the call of the Chair.



Item 5 - File 100-90-15

1. The proposed legislation is a resolution declaring the need for a Critical Incident Response Team that would work to assist victims of violence and their families and work to prevent incidents of violence and death among the City's youth and urging the Mayor to urge the Health Commission and the Social Services Commission to submit a supplemental appropriation to provide funding for such a Critical Incident Response Team.

2. The Critical Incident Response Team (CIRT) is a project developed by the Department of Public Health (DPH), which would provide a coordinated, multi-departmental, community based approach to the provision of services and resources needed for effective intervention and immediate response to individuals, families and groups, in San Francisco, that have experienced acts of violence or traumatic events in the community in which they reside. Specific project services would include (1) psychological, social and limited physical health evaluation, (2) coordination of available resources so that they are accessible and non-duplicative, (3) provision of crisis, short-term and peer counseling services, (4) housing needs assistance and (5) substance abuse, mental health and victim resource referrals. In addition, the project would establish working relationships with local churches, schools, recreational centers, police stations, health centers, mental health programs, fire stations and other community organizations to provide training, support and technical assistance. The project is designed such that individuals, families and groups, would potentially be able to access project services through a number of sources, including the San Francisco Police Department, the Fire Department, schools, churches and community based organizations.

3. Dr. Abner Boles, of the DPH reports that either the Mayor's Office of Public Safety or the DPH will serve as lead agency for the CIRT. The proposed core personnel for the project would consist of a half-time project coordinator, a half-time secretary, and 3 FTE case managers that would be hired through community-based organizations. In addition, the project proposes to utilize in-kind existing staff services and operational support from DPH, the Department of Social Services (DSS), the Police Department, the Mayor's Office of Public Safety, the Housing Authority, the Recreation and Park Department, and the San Francisco Unified School District. A CIRT Advisory Committee would be established, which would meet on a quarterly basis, and would include representatives from various City Departments, community agencies and consumers. The members of the Advisory Committee would not be paid any fees. The Committee would be staffed by the CIRT coordinator and support staff from the project's lead agency.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



### Comments

1. During the 1990-91 budget process, the Board of Supervisors reduced the DPH's Neighborhood Health Clinic by \$368,179 and the DSS's Children and Foster Care budget by \$35,000 and placed these funds on reserve to be used to fund other needed services during the fiscal year. The proposed legislation would urge the Mayor to urge the Health Commission and the Social Services Commission to submit a supplemental appropriation for \$106,000 and \$35,000 respectively, to fund the CIRT. The proposed supplemental appropriations would provide a total of \$141,000 to fund the project for a two and one-half month period from mid-March, 1991 to June 30, 1991.

2. Dr. Boles reports that the proposed supplemental appropriations in the total amount of \$141,000 would be used primarily to hire the project coordinator, the secretary and the case managers. The remaining monies would be used for project operations. As of the writing of this report, Dr. Boles was unable to provide budget details for the proposed \$141,000 or for the proposed in-kind staff services and operational support for the project. Dr. Boles advises that the \$141,000 represents a start-up budget for the project for the first two and one-half months and therefore does not necessarily reflect what the project will actually cost after this initial start-up period. According to Dr. Boles, once the in-kind support for the project is in place, the cost could be less than the \$141,000. Dr. Boles adds that DPH also intends to seek grant funding to support this project.

3. Dr. Boles advises that a pilot demonstration CIRT has been in operation since June of 1989. This pilot project has operated on the basis of utilizing existing in-kind staff and operational support provided by DPH, DSS, the Housing Authority, the Police Department, the Recreation and Park Department and the San Francisco Unified School District. The pilot project has operated at no additional cost to the City. The proposal, as noted above, to hire a project coordinator, a secretary and case managers, represents an expansion of the pilot project. Dr. Boles reports that the pilot project has been involved in considerable outreach efforts, and has provided intervention and support services to approximately ten individuals and five families and has intervened, on a community level, in five crisis events involving drug-related, drive-by shootings.

4. As noted above, Dr. Boles believes the proposed \$141,000 does not necessarily reflect what the actual on-going costs of the proposed project would be. However, based on the estimated cost of \$141,000 for this proposed project for the two and one-half month period, the projected annual cost for this project for FY 1991-92 would be approximately \$676,800.

### Recommendation

Approval of the proposed legislation is a policy matter for the Board of Supervisors.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

Item 6 - File 109-90-4

This item is a hearing to consider enacting legislation requiring written notice be enclosed or included on all bills for Rent Stabilization and Arbitration Board Fees explaining the bill need only be paid on rental units and that homeowners may simply respond by returning the bill with some written indication of ownership and occupancy such as last year's utility bill.

Comments

1. On October 23, 1990, Mr. Joe Grubb of the Residential Rent Stabilization and Arbitration Board (Rent Board) sent a letter to the Chair of the Economic and Social Policy Committee indicating that the Rent Board has instituted several procedures to deal with the issue of exempt properties or units that are the subject of the proposed hearing. For example, the Rent Board has a computer program which interfaces with the Assessor's records to determine owner-occupied properties that would qualify for exemption from the annual Rent Board fee and will therefore not be sent bills. In addition, the Rent Board fee ordinance was modified to simplify exemptions for properties that are owner-occupied but do not have an exemption on file, permitting an owner to check the appropriate box, sign under penalty of perjury and return an exemption letter that is being included with each Rent Board fee bill.

2. It is the intention of the Chair to entertain a motion to file the proposed item.





Item 7 - File 97-91-3

- Departments:** Water Department  
Department of Public Works, Bureau of Building Inspection
- Item:** Ordinance amending the Administrative Code by adding Chapter 63, establishing limitations on water use for landscaping new developments.
- Description:** The proposed ordinance would require applicants for building and site permits to submit a landscape plan and soil analysis report for review and approval by the San Francisco Water Department prior to the issuance of permits by DPW's Bureau of Building Inspection (BBI). BBI must receive certification of compliance of this ordinance from the Water Department in order to approve and issue building or site permits.
- The proposed ordinance targets specific limitations on water use to new developments on lots larger than 3,500 square feet with 1,000 square feet of landscapable ground, or on City-owned parcels with more than 1,000 square feet of landscaping. Proposed landscaping requirements include:
- Limitation of turf grass and water-intensive foliage to a maximum of 15 percent of the total area to be landscaped;
  - Prohibition of turf-grass on walkways, traffic medians, and parking strips;
  - Grouping and separate irrigation of water-intensive plants from low-water-use plants;
  - Development of irrigation plans, use of specific types of irrigation equipment, and use of prescribed methods of installation of irrigation systems;
  - Conditioning of the soil as recommended in the soils analysis and installation of a two-inch cover of mulch in non-turf grass areas.
- The proposed ordinance also recommends the use of low-water-use plants and warm season or tall fescus turf grasses to reduce water use on landscaping. The Water Department would provide information on low-water-use plants, irrigation techniques, and other materials on the efficient use of water.

BOARD OF SUPERVISORS  
BUDGET ANALYST

The proposed ordinance allows the Water Department to impose fees to pay for the administrative costs of enforcing the ordinance.

**Comments:**

1. The Water Department would incur increased costs for landscape plan reviews and corresponding site inspections. Ms. Kim Kinna of the Water Department advises that review of landscape plans would be done by a landscape architect contracted to the Water Department, and existing Water Department Field Inspectors would perform the needed site inspections. The Water Department does not anticipate a need for additional staff. These costs would be offset by imposing plan review and inspection fees.

2. Ms. Kinna currently estimates that plan review and inspection fees will range between \$175 and \$200. The proposed fees would include administrative costs of processing and collecting the fees by BBI. Once the plan review and inspection fees are determined, the Water Department would have to submit to the Board of Supervisors a proposed ordinance to establish the fees.

3. According to Ms. Kinna, the proposed ordinance would reduce future water demand as new developments are completed in the City. While various studies have projected significant water savings from the implementation of measures such as those contained in the proposed ordinance, the Water Department was unable to provide precise estimates of the potential water savings.

**Recommendation:** Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Item 8 - File 115-90-7

Ordinance amending Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) by adding Section 135.3 establishing limitations on water use for landscaping in new developments.

Comment

Item 7, File 97-91-3 of this report addresses the proposed concern establishing limitations on water use for landscaping in new developments. It is the intention of the Chair to entertain a motion to table the proposed ordinance.

Recommendation

Table the proposed ordinance.



Item 9 - File 124-90-5

The proposed ordinance would amend Article 3, Part II, Chapter XI of the San Francisco Municipal Code (Traffic Code) by adding Section 60.5 thereto, prohibiting the idling of engines of privately-owned motor coaches in excess of five minutes while parked, standing, or stopped upon any public way within the City. However, privately-owned motor coaches making temporary stops for the sole purpose of loading or unloading passengers would not be limited to the five minute standard, but would be permitted to idle their engines for no longer than is reasonably necessary to effect the loading or unloading of passengers.

Any person, firm, or corporation violating the provisions of this proposed ordinance would be subject to the following fines:

- |  |       |
|--|-------|
| a. First offense:  | \$100 |
| b. Second offense within one year of a prior infraction:                 | \$200 |
| c. Third or subsequent offense within one year of two prior infractions: | \$250 |

Comments

1. The provisions of the proposed ordinance would be enforced by both the Police Department and the Department of Parking and Traffic.

2. Lieutenant Fred Pardella of the Police Department states that the provisions of the proposed ordinance would be enforced primarily on a complaint basis and could be accomplished within the Department's existing resources.

3. Ms. Rina Cutler, Director, Department of Parking and Traffic, states that the Department would prefer a fixed rate fine of \$100 due to the fact that Parking Control Officers (PCOs) would have no way of determining the number of violations previously issued within a one year period. Ms. Cutler states that the procedure PCOs would follow to enforce the regulation would be to request that the motor coach engine be turned off and to issue a citation only if the driver does not comply. Ms. Cutler further states that the associated workload could be accomplished within the Department's existing resources.

4. The Police Department and the Department of Parking and Traffic are unable to provide an estimate of revenues that would accrue to the City as a result of the penalty provisions of the proposed ordinance.

5. The Budget Analyst has been informed that the sponsor of the proposed legislation concurs with the recommendation of the Department of Parking and Traffic to impose a fixed rate fine of \$100 instead of the various fines listed above. The sponsor intends to submit an amendment to the proposed legislation, to adopt such a fixed rate fine, at the Economic and Social Policy Committee meeting.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



**Recommendation**

The proposed ordinance is a policy decision for the Board of Supervisors.

Item 10 - File 171-91-1

1. This item is a hearing to consider whether to increase the penalty fee of \$20.00 for violations of California Vehicle Code Section 22522 which prohibits the blocking of any sidewalk access ramp.

2. The Board of Supervisors previously approved legislation (Resolution No. 178-89) which urged the Municipal Court to increase the bail for the violation of California Vehicle Code Section 22522 from \$10.00 to \$50.00 for blocking any sidewalk access ramp. Mr. Gordon Park-Li of the Municipal Court reports that the Board's resolution was brought before the Court's Traffic Committee for review and adjustment of bail pursuant to the provisions of Section 1269b(c) of the California Penal Code. The Committee's review resulted in an increase in bail, for violation of Section 22522, from \$10.00 to \$20.00, effective July 1, 1989. The Committee did not approve an increase to \$50.00 in bail because the City's sidewalk access ramps were not marked (i.e., painted) to indicate that parking within three feet of, or blocking, such a ramp would constitute a violation.

3. Mr. Park-Li advises that, on January 28, 1991, the Court's Traffic Committee again met and discussed the issue of bail adjustment in connection with the violation of Section 22522 and that the Committee was of the opinion that bail for this violation should not be increased from the current \$20.00 until all the City's sidewalk access ramps have been painted red.

4. Mr. Norman Bray of the Department of Parking and Traffic reports that the Department is in the process of painting the sidewalk access ramps red. Mr. Bray estimates that the Department would complete this work within three to six months. Mr. Bray advises that the cost to paint the sidewalk access ramps will be absorbed in the Department's on-going budget.

5. Mr. Park-Li reports that based on court records, 770 citations were issued in the City for violation of Section 22522 in calendar year 1990. The Municipal Court estimates that revenue is collected from between 65 and 70 percent of the parking citations issued. Based on a collection rate of 65 to 70 percent, the 770 citations issued for violation of Section 22522 in 1990 would yield revenues of between approximately \$10,010 and \$10,780 at \$20 per citation.

6. The Budget Analyst has been informed that the sponsor of the proposed legislation intends to introduce a proposal to urge the Municipal Court to increase the bail for the violation of Section 22522 from \$20.00 to \$100.00. Based on a collection rate of 65 to 70 percent if the annual citations issued totaled 770, as was the case in 1990, this number of citations would yield revenues of between approximately \$50,050 and \$53,900 at \$100 per citation.



Item 11 - File 109-88-3

**Note:** This item was rereferred to the Economic and Social Policy Committee at the Board of Supervisors meeting on February 19, 1991.

**Departments:** Public Utilities Commission (PUC)  
Water Department  
Residential Rent Board

**Item:** The proposed ordinance would amend Sections 37.3 and 37.8 of the City's Administrative Code to permit landlords to pass through to tenants penalties for exceeding water allotments.

**Description:** The City's Residential Rent Stabilization and Arbitration Ordinance (Chapter 37 of the Administrative Code) currently allows landlords to increase tenant rents annually by an amount based on the change in the Consumer Price Index (CPI) over the proceeding 12 months. This rent increase, regardless of the change in the CPI, shall be a minimum of four percent and a maximum of seven percent. Increases for gas and electricity may be passed through directly to tenants over and above the permitted annual rent increase. Increases for water and sewer service, however, are considered part of operating and maintenance expenses and are deemed to be included in the annual rent increase. Raising rent more than the granted annual rent increase based upon increased operating and maintenance expenses requires approval from the Residential Rent Board.

Because of the lack of rainfall in the winter of 1989-90, the City adopted a water rationing plan on May 5, 1990. Previously, the City had adopted a water rationing plan for the period April 28, 1988 through May 9, 1989. To implement the rationing plan, the PUC established water use allotments and a schedule for excess use charges for customers using water in amounts greater than their prescribed allotments. In order to allow landlords time to implement conservation programs, the first penalties were not issued until August 1990.

The Rent Ordinance, which was adopted over ten years prior to the rationing program, does not address the issue of Water Department penalties for exceeding water allotments. Consequently, landlords were not permitted to pass excess water use penalties incurred by tenants on to tenants but rather the landlords had to pay the penalties themselves.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

The proposed ordinance would permit landlords to pass through any established Water Department penalties for excessive water use to tenants above and beyond the allowable annual rent increase under the following conditions: 1) penalties could only be imposed upon tenants who occupied the building during the penalty period and 2) the penalties would have to be pro-rated on a per unit basis. Rent increases due to water penalty charges would not become part of a tenant's base rent. The proposed ordinance would also direct the Residential Rent Board to adopt regulations to implement the pass-through of the water penalty charges.

**Comments:**

1. According to Mr. Carlos Jacobo of the Public Utilities Commission, the Water Department billed approximately \$3.3 million in water penalties for the period August 1 through October 31, 1990 for all users in San Francisco (commercial, industrial, single residences and multi-residential buildings). While no breakdown was available for the amounts of fines for each user category, 83 percent or 86,586 of the 104,320 residential customers were in compliance with their allotments and 75 percent or 26,447 of 35,263 multi-residential buildings were in compliance.

2. Data collected by the Water Department from October 1988 through May 1989 during the last water rationing period indicated that a total of \$1,706,000 in excess use charges was assessed for multi-residential buildings only. Water Department records indicate that at that time there were 31,158 apartment buildings with a total of 194,123 living units in San Francisco. Over the eight-month period for which data is available, there was a per capita (living unit) water penalty assessment of \$8.79 or approximately \$1.10 per month.

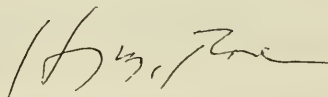
3. The proposed ordinance would allow pass-through of water penalty charges for multi-residential buildings on a pro-rated basis for individual tenants. Mr. Joe Grubb of the Residential Rent Board indicates that the Rent Board would have concerns over the provisions of the proposed ordinance because it would create no incentive for individual tenants in multi-residential buildings to conserve water. The Rent Board has previously indicated by letter to the Board of Supervisors that it supports the elimination of penalties for multi-unit buildings where water is not individually metered.



4. The original proposed ordinance would allow landlords to pass-through all water penalty charges to tenants. This would create no incentive for landlords to take any steps to improve water conservation within their properties. Mr. John Mullane of the Water Department states that there are a number of low-cost measures that landlords can employ, such as installing flow restrictors in shower heads, to encourage water conservation. Mr. Mullane added that the Water Department thought that a more equitable proposal that would achieve the greatest amount of water conservation would be a 50 percent split in penalties between landlords and tenants. At the February 12, 1991 Economic and Social Policy Committee meeting, the Committee amended the proposed legislation to provide for a 50/50 split in the penalties between landlords and tenants.

5. The Economic and Social Policy Committee further amended the proposed ordinance to provide that the Water Department has inspected the building before the penalties are imposed. However, Ms. Cheryl Davis of the Water Department reports that this amendment would require the Water Department to inspect potentially thousands of units in the City. As a result, the Water Department together with the City Attorney's Office is working on language regarding further amendments to the proposed ordinance to permit the 50/50 pass-through of excess use charges associated with water use charges that result from unrepaired water leaks.

**Recommendation:** The proposed ordinance is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board

Legislative Policy Analysts  
Chief Administrative Officer  
Controller  
Carol Wilkins  
Ted Lakey

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**





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CALENDAR - ACTION IS THERE

MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE DOCUMENTS DEPT.  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

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TUESDAY, FEBRUARY 26, 1991 - 2:00 P.M.

ROOM 228, CITY HALL

PRESENT: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

ABSENT: SUPERVISOR ALIOTO - ITEMS 2, 6-8

CLERK: KAY GULBENGAY

1. File 20-90-8. [Traffic Control] Hearing to consider Department of Public Works, Bureau of Traffic Engineering and Operations evaluation of traffic control for the intersection of Hyde and Lombard Streets. (Department of Public Works)  
(Continued from 7/7/90)

ACTION: Hearing held. Filed.

2. File 178-90-1. Hearing to consider allegations by various security officers of discriminatory practices at the Fine Arts Museum. (Supervisor Kennedy)  
(Continued from 9/27/90)

ACTION: Hearing held. Continued to June 25, 1991 meeting.

3. File 197-90-2.1. Resolution establishing Cultural Affairs Task Force to make recommendations to the Board of Supervisors regarding a proposal to create a Department of Cultural Affairs. (Supervisors Hallinan, Gonzalez, Ward)  
(Continued from 2/12/91)

ACTION: Hearing held. Amendment of the whole (as presented by Supervisor Hallinan) adopted and further amended by committee. (See File for details) Entitled: "Establishing a Cultural Affairs Task Force to make recommendations to the Board of Supervisors on the means by which the City and County of San Francisco can enhance the public process, and improve the economic health and vitality of its diverse cultural life." Recommended as amended to Board on Monday, March 18, 1991.

4. File 47-90-13. Hearing to consider the proposal by the Parking and Traffic Department regarding the additional signage on the Lombard Street garage. (Supervisor Maher)

ACTION: Continued to call of the chair at the request of author.



5. File 100-90-15. [Critical Incident Response Team] Resolution declaring the need for a Critical Incident Response Team that would work to assist victims of violence and their families and work to prevent incidents of violence and death among the city's youth; and urging the Mayor to urge the Health Commission and the Social Services Commission to submit supplemental appropriations to provide funding for such a Critical Incident Response Team. (Supervisors Kennedy and Ward)

ACTION: Hearing held. Amended on page 1 line 6 after "Commission" by deleting "and the Social Service Commission" and further amended on page 1 by replacing line 13 with "for the Neighborhood Health Clinic's Reserve in the" and on line 14 by replacing "from" with "for" and by deleting "Department of Social Services" and line 15 by substituting "35,000" with "400,000" and on page 2 line 3 by substituting "\$106,000" with "\$141,000" and on line 4 after "Team;" by adding "of which, \$35,000 is appropriated from the reserve for Children and Foster Care, and \$106,000 is appropriated from the reserve for Neighborhood Health Clinics." and by deleting lines 5 through 9. Entitled: "Declaring the need for a Critical Incident Response Team that would work to assist victims of violence and their families, and work to prevent incidents of violence and death among the City's youth; and urging the Mayor to urge the Health Commission to submit supplemental appropriations to provide funding for such a Critical Incident Response Team." Recommended as amended. (Supervisors Alioto and Migden added as co-sponsors.)

6. File 109-90-4. Hearing to consider enacting legislation requiring written notice be enclosed or included on all bills for Rent Stabilization and Arbitration Board Fee explaining the bill need only be paid on rental units and that homeowners may simply respond by returning the bill with some written indication of ownership and occupancy such as last year's utility bill. (Supervisor Nelder)

ACTION: Filed.

7. File File 97-91-3. Ordinance amending Administrative Code by adding Chapter 63, establishing limitations on water use for landscaping new developments. (Supervisors Walker and Maher)

ACTION: Hearing held. Amended on page 1 line 16 after "utilizing" by deleting ";" and on page 2 line 1 after "construction" by replacing "of" with "involving" and on line 9 after "than" by replacing "18-inch by 24-inch" with "11-inch by 17 inch." Recommended as amended.

8. File 115-90-7. [Water Conservation Ordinance] Ordinance amending Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) by adding Section 135.3 thereto, establishing limitations on water use for landscaping in new developments. (Supervisor Walker)

ACTION: Tabled.



9. File 124-90-5. [Engine Idling of Privately-Owned Motor Coaches] Ordinance amending Article 3 of Part II, Chapter XI, San Francisco Municipal Code (Traffic Code) by adding thereto Section 60.5, prohibiting the idling of engines of privately-owned motor coaches while parked or standing. (Supervisors Hsieh and Gonzalez)

**ACTION:** Hearing held. Amendment of the whole (as presented by Supervisor Hsieh) adopted. Entitled: "Amending Article 3 of Part II, Chapter XI, San Francisco Municipal Code (Traffic Code) by adding thereto Section 60.5, prohibiting the idling of engines of privately-owned motor coaches while parked or standing." Recommended. (Supervisors Alioto and Kennedy added as co-sponsors.)

10. File 171-91-1. Hearing to consider whether to increase the penalty for violation of California Vehicle Code Section 22522 which prohibits blocking any sidewalk access ramp. (Supervisor Hsieh)

**ACTION:** Hearing held. Resolution (as presented by Supervisor Hsieh) prepared in and reported out of committee. Amended on page 1 line 4 after "\$100.00" by adding "urging the completion of the painting of the City's sidewalk access ramps red within six months" and on line 9 by replacing "handicapped" with "disabled" and on line 28 after "\$100.00" by adding "FURTHER RESOLVED, That the Board further urges the Mayor to urge the Parking and Traffic Commission and Department to complete painting all of the City's sidewalk access ramps red within six months of the effective date of this resolution." Entitled: "Urging the Municipal Court of the City and County of San Francisco to increase the bail for violation of California Vehicle Code 22522; urging the completion of the painting of the City's sidewalk access ramps red within six months." Recommended as amended. (Supervisors Alioto and Kennedy added as co-sponsors.)

11. File 109-88-3. [Rent Ordinance] Ordinance amending Administrative Code by amending Sections 37.3 and 37.8 to permit landlords to pass through to tenants fifty percent of the penalties for exceeding water allotment, provided the Water Department has inspected the tenants building. (Supervisor Kennedy)

**ACTION:** Hearing held. Amendment of the whole (as presented by Supervisor Kennedy) adopted and further amended by the committee. Amended on page 2 line 17 after "showerheads" by adding "(low-flow showerhead means a showerhead which allows a flow of no more than 2.75 gallons of water per minute" and line 25 by adding

"D. Only penalties accrued after the effective date of the ordinance may be passed-through to tenants."

Entitled: "Amending the San Francisco Administrative Code by amending Sections 37.3 and 37.8 thereof to permit landlords to pass through to tenants fifty percent of the penalties for exceeding water allotment." Recommended as amended. (Supervisor Migden added as co-sponsor.)





CITY AND COUNTY



OF SAN FRANCISCO

**BOARD OF SUPERVISORS**

**BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

March 7, 1991

**TO:** Economic and Social Policy Committee  
**FROM:** Budget Analyst - *recommendations*  
**SUBJECT:** March 12, 1991 Economic and Social Policy Committee Meeting.

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Item 2 - File 109-90-3

**Department:** Residential Rent Stabilization and Arbitration Board (Rent Board)

**Item:** Ordinance to amend the Administrative Code by amending Sections 37.3 and 37.8 to delete the separate requirement that tenants be notified by the landlord of what portion of rent increase reflects any banked increase from prior years, to establish a mandatory time limit for the filing of certain tenant petitions, to establish a mandatory time limit for appeals, with good cause exception, to establish a statute of limitations for judicial review, to permit landlords and tenants to challenge rent payments, rent refunds, rent offsets or rent additions prior to their taking effect and to correct clerical errors.

**Description:** Section 37.3 of the Administrative Code stipulates specific circumstances under which a landlord may impose a rent increase and places limitations on a tenant who subleases his or her rental unit. Section 37.3 (a) among other provisions, provides that a landlord, who does not impose an authorized annual rent increase or any portion of such an increase, may accumulate such increases and apply it to the tenant's subsequent annual rent increases. Section 37.3(b)(2) currently provides that on or before the date a landlord gives a tenant legal notice of a rent increase, the landlord must inform the tenant, in writing, as to what portion, if any, of the rent increase reflects accumulated (banked) rent increases from previous years.

The proposed ordinance would amend Section 37.3(b)(2) to delete the separate provision regarding the portion of the rent increase that reflects the banked increase and would combine the requirements that the landlord inform the tenant as to which portion of the rent increase reflects the annual increase and/or which portion, if any, of the rent increase reflects accumulated rent increases from previous years. According to Ms. O'Hearn of the Rent Board, the proposed amendment reflects the current practice of the Board.

Section 37.8 of the Administrative Code includes the following provisions: (1) gives authority to the Rent Board and designated hearing officers to arbitrate rental adjustments, (2) provides guidelines and procedures by which landlords and tenants can request arbitration of rental adjustments, (3) provides guidelines by which landlords and tenants can file a petition for a hearing, (4) stipulates the procedures to be followed in the conduct of a hearing, (5) outlines the procedures to be followed by the hearing officer in developing findings of fact and (6) provides procedures by which a landlord or a tenant can appeal the decision of a hearing officer. The proposed ordinance would amend Section 37.8 as follows:

(1) Section 37.8(d) would be amended to add a provision requiring that tenant petitions regarding gas and electricity passthroughs must be filed within one year of the effective date of the current passthrough.

(2) Section 37.8(e) currently provides that if the hearing officer finds that all or any portion of a rent increase is justified, the tenant petitioner would be ordered to pay all or a portion of that cumulative amount to the landlord within five days of the mailing of the finding or the amount in question may be ordered by the hearing officer to be added to future rents. Additionally, the legislation provides that if the hearing officer finds that all or any portion of a rent increase is found not to be justified, the landlord would be ordered to pay that cumulative amount back to the tenant petitioner within five days of the mailing of the finding or the amount in question may be ordered by the hearing officer to be used to offset future rents. Section 37.8(e) would be amended to provide that if the hearing officer finds that all or any portion of the rent increase is or is not justified, the hearing officer may order the amount added to or offset against future rents within 15 days. The legislation would further provide that any order permitting rent offsets would be stayed if an appeal is filed within the required time by the landlord.

(3) Section 37.8(f) currently provides that any appeal to the Rent Board to overturn the decision of the hearing officer may be made within 15 days of the mailing of the hearing officer's findings of fact. The legislation further states that the filing of an appeal will not stay the effect of the hearing officer's decision. Section 37.8(f) would be amended to provide that any appeal to the Rent Board to overturn the decision of the hearing officer must be made within 15 days of the mailing of the findings of fact unless such time limit is extended by the Rent Board for good cause, which is the actual current practice of the Rent Board. The legislation is further amended to provide that the filing of an appeal will stay only that portion of any hearing officer's decision which permits rent payment, refund, offsetting or adding rent.

Finally, Section 37.8(f) would be amended by adding the following two provisions:

Appeal decisions of the Rent Board would be effective on the date mailed to the concerned parties, provided that the portion of any decision which orders rent payment, refund, offsetting or adding rent will become effective 30 calendar days after it is mailed to the concerned parties unless a stay is granted by an appropriate judicial court.

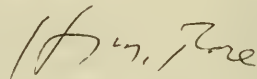
A landlord or tenant who is dissatisfied by any decision of the Rent Board must seek a judicial review within 90 days of the date that the Rent Board mails the decision.

**Comments:** 1. Mr. Joe Grubb, Executive Director of the Residential Rent Stabilization and Arbitration Board, reports that the proposed amendments are technical and/or procedural in nature and are not considered to be controversial. Some of the proposed amendments relate to the California Supreme Court's August 17, 1989 decision on McHugh v. Santa Monica Rent Control Board which requires the provision of sufficient, yet limited time to appeal decisions prior to requiring the enforcement of a decision by the Rent Board.

2. Ms. Barbara O'Hearn of the Rent Board reports that the request for the proposed amendments was initiated by the Rent Board. Ms. O'Hearn advises that no public hearing was held on these proposed amendments by the Rent Board. However, Ms. O'Hearn states that the proposed amendments did appear on the Rent Board's agenda several times since they were initially proposed in early 1989. Ms. O'Hearn further reports that the proposed amendments were unanimously approved by the Rent Board Commissioners.

3. According to Ms. O'Hearn, although a precise estimate cannot be provided, it is projected that the proposed amendments would result in potential cost savings for the Rent Board by imposing a one year statute of limitations for the filing of petitions challenging the gas and electric passthroughs. Ms. O'Hearn reports that the City's existing ordinance, which provides no statute of limitations for the filing of such petitions, often results in significant additional staff and City Attorney time to reconstruct old administrative records. However, the Budget Analyst notes that it is unlikely that the proposed amendments will result in any actual budget reductions.

**Recommendation:** Approve the proposed ordinance.



Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board  
Legislative Policy Analysts  
Chief Administrative Officer  
Controller  
Carol Wilkins  
Ted Lakey



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ECONOMIC & SO

BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

CALENDAR - ACTIONS TAKE

TUESDAY, MARCH 12, 1991 - 2:00 P.M.

ROOM 228, CITY HALL

PRESENT: SUPERVISORS MIGDEN AND ALIOTO

ABSENT: SUPERVISOR KENNEDY

DOCUMENTS DEPT.

CLERK: KAY GULBENGAY

CONSENT CALENDAR

MAR 15 1991

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1. All matters listed hereunder constitute a Consent Calendar and are considered to be routine by the Economic & Social Policy Committee, and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or a member of the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item:

(a) File 15-91-2. [Taxi Zones] Consideration of revocation of taxi zone at 21st Avenue, east side, from 6 to 13 feet of Irving Street (Space #1304, angled parking.) (Department of Parking & Traffic)

(b) File 18-91-2. [Stop Intersections] Consideration of Stop Intersections, various streets. (Department of Parking and Traffic)

Stop Signs - Establish  
Lakeview Avenue and Lee Avenue all corners, (makes this an all-way Stop).

Wool Street and Eugenia Street, southeast and northwest corners, stopping Wool Street traffic.

(c) File 20-91-4. [Traffic Regulations] Consideration of establishment and revocation of traffic regulations. various streets. (Department of Parking and Traffic)

Right Lane Must Turn Right - Establish  
Irving Street, westbound, at 19th Avenue.

Tow-Away, No Stopping Anytime - Establish  
17th Street, south side, between Castro and Hartford Streets.

One-Way Street - Revoke  
Jessie Street, west of 7th Street.

Laguna Street, northbound, between Oak Street and Page Street.

Bryant Street, eastbound, (frontage road), from Beale Street to 235 feet west.

Bryant Street, eastbound, (frontage road), from 1st (Delancey) Street to 50 feet north (a point 628 feet west of Beale Street on the north east side of the western-most driveway).

One-Way Street - Establish  
Bryant Street, east bound, (frontage road), from 638 to 235 feet west of Beale Street.





- (d) File 19-91-2. [Parking Regulations] Consideration of establishment and revocation of parking regulations, various streets. (Department of Parking and Traffic)

Parking Meter Area "2" - Extend

Folsom Street, south side, Fremont Street to 60 feet east of Zeno Place (150-foot extension).

Harrison Street between Spear and Steuart Streets.

Spear Street between Harrison and Folsom Streets.

Parking Meter Area "3" - Extend (One Hour Limit)

Persia Street, south side, between Mission and London Streets.

Tow-Away, No Parking Anytime - Establish

Elwood Street, both sides, between Mason and O'Farrell Streets.

Bryant Street (frontage road), south side, from Beale Street to 210 feet west and from 1st (Delancey) Street to 83 feet north.

Bryant Street (frontage road), north side, from Beale Street to 73 feet west, from 281 to 382 feet west of Beale Street (101-foot zone), from 403 to 428 feet west of Beale Street (25-foot zone), and from 1st (Delancey) Street to the west end of the 1st (Delancey) parking bay east of 1st Street (Delancey).

No Parking Anytime - Establish

Jessie Street, north side, from 7th Street, west to the end.

No Parking Anytime - Revoke

Jessie Street, south side, from 7th Street, west to the end.

ACTION: Item (c) removed from Consent Calendar.  
Remainder of Consent Calendar recommended.

- (a) File 15-91-2. Hearing held. DPT recommendations recommended. Resolution prepared in and reported out of committee entitled: "Rescinding location of taxicab stand on 21st Avenue." Recommended.
- (b) File 18-91-2. Hearing held. DPT recommendations recommended. Resolution prepared in and reported out of committee entitled: "Designating certain intersections as Stop Intersections." Recommended.
- (c) File 20-91-4. Hearing held. Question divided. Question on "Consideration of revoking One-Way Street, Laguna Street, northbound, between Oak and Page Streets" severed and considered separately under File 20-91-4.1. Remaining DPT recommendations recommended. Resolution prepared in and reported out of committee entitled: "Enacting and rescinding traffic regulations, various streets." Recommended.

File 20-91-4.1. Hearing held. Question on "Consideration of revoking One-Way Street, Laguna Street, northbound, between Oak and Page Streets" severed from File 20-91-4. Resolution prepared in and reported out of committee entitled: "Rescinding traffic regulations on Laguna Street." To Board without recommendation.

- (d) File 19-91-2. Hearing held. DPT recommendations recommended. Resolution prepared in and reported out of committee entitled: "Enacting and rescinding parking regulations, various streets." Recommended.



REGULAR CALENDAR

2. File 109-90-3. [Rent Ordinance] Ordinance amending the San Francisco Administrative Code by amending Sections 37.3 and 37.8 thereof to delete the separate requirement that tenants be notified of what portion of rent increase reflects any banked increase from prior years, to establish a mandatory time limit for the filing of certain tenant petitions, to establish a mandatory time limit for appeals, with good cause exception, to establish a statute of limitations for judicial review, and to permit landlords and tenants to challenge rent payment, refund, offsetting or adding prior to their taking effect, and to correct clerical errors. (Supervisor Britt)

ACTION: Hearing held. Recommended.



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MAR 27 1991

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SPECIAL  
MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

MONDAY, MARCH 25, 1991 - 10:00 A.M.

ROOM 228, CITY HALL

PRESENT: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

CLERK: KAY GULBENGAY

1. File 43-91-1.1. [Sanctuary] Resolution rescinding Resolution 63-91 declaring the City and County to be a sanctuary for all persons who for moral, ethical or religious reason cannot participate in war. (Supervisor Maher)

ACTION: Hearing held. Tabled. (Supervisor Kennedy dissented.)

2. File 43-91-5. [Veterans of the Persian Gulf War] Resolution urging the Mayor to plan a welcome home to honor our returning soldiers and reservists, determining that San Francisco no longer needs to provide sanctuary urging the Federal and State Governments to work to provide fair and equal opportunities for jobs, education and health care and to reintegrate the returning soldiers and reservists into our society. (Supervisor Kennedy)

ACTION: Hearing held. Amendment of the whole (as presented by Supervisor Britt in committee) adopted. Entitled: [Welcoming Troops Home from the Persian Gulf] Resolution welcoming home our troops returning from the Persian Gulf War; urging the Federal and State Governments to work to provide fair and equal opportunities to veterans for jobs, education and health care, and to reintegrate the returning personnel into our society; reaffirming Resolution No. 63-91, which declared San Francisco a sanctuary for all persons who for moral, ethical, or religious reasons could not participate in war. Recommended to Board as a committee report, Monday, March 25, 1991. (Supervisor Kennedy dissented.)





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CITY AND COUNTY



OF SAN FRANCISCO

## BOARD OF SUPERVISORS

### BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

March 21, 1991

DOCUMENTS DEPT.

TO: Economic and Social Policy Committee

FROM: Budget Analyst - Recommendations

SUBJECT: March 26, 1991 Economic and Social Policy Committee Meeting

MAR 22 1991

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Item 1 - File 12-91-8

1. The proposed resolution would urge the State Legislature to pass Assembly Bill 7 (AB7) requiring all California motorcyclists to wear approved safety helmets.

2. Under existing law, any driver or any passenger who is under 15 years and six months of age are required to wear a safety helmet meeting specified requirements when riding on a motorcycle or motorized bicycle. However, current law applies only to motorcycle passengers since no one under the age of 15 and six months can legally drive a motorcycle. Assembly Bill 7 would delete the limitation of those provisions to drivers and passengers under 15 years and six months of age, and apply to all drivers and passengers who ride on a motorcycle or motorized bicycle.

3. The California Highway Patrol reports that Statewide in 1989 of the 620 persons who were killed in motorcycle accidents, 124 (20 percent) were wearing helmets and 496 (80 percent) were not wearing helmets. Of the 19,527 persons injured Statewide, 4,664 (24 percent) were wearing helmets and 14,863 (76 percent) were not wearing helmets. In San Francisco in 1989, six persons were killed in motorcycle accidents (approximately one percent of the Statewide total) and 830 were injured in motorcycle accidents (approximately 4.3 percent of the Statewide total).

4. Mr. Bob Terry of Assemblyman Floyd's Office, who is the author of AB7, reports that the current fines for violating the State Vehicle Code for those motorcycle drivers and passengers under 15 years and six months of age who do not wear safety helmets would be applied to all motorcycle drivers and passengers. The Municipal Court Office reports that the current fine is \$53 for this infraction in San Francisco. The National Highway Traffic Safety Administration (NHTSA) estimates that a mandatory helmet law will increase helmet use by 99.5 percent because of the high visibility of motorcyclists and passengers who are not wearing helmets. Therefore, it is estimated that the revenues generated by this fine would be minimal.

5. A cost savings may be possible for the County hospitals from AB7 by eliminating the additional costs associated with the more severe head injuries of non-helmeted motorcyclists. The additional costs incurred by County hospitals for helmeted versus non-helmeted motorcyclists is not known. Some reasonable estimates can be made based on data compiled by the San Francisco Trauma Foundation relating to the treatment for helmet and non-helmeted motorcyclists at other hospitals. Average hospital costs per patient were reported as \$4,000 to \$25,000 higher for non-helmeted motorcyclists in California. A substantial portion of these costs are sometimes absorbed by the hospital because motorcyclists are often uninsured. County Hospitals must absorb the costs to treat injured motorcyclists if the County Hospitals are not reimbursed by Medi-Cal or other insurers. A 1985 U.C. Davis Medical Center Study reports that approximately 75 percent of persons admitted for motorcycle accident trauma carried no insurance. The 1991 San Diego Trauma Registry reports that approximately 20 percent of injured motorcyclists were not reimbursed by insurers. Assuming that the average cost per patient is \$4,000 to \$25,000 higher for non-helmeted patients, and that approximately 20 percent of injured motorcyclists carry no insurance, and that on the average 830 injuries occur annually in San Francisco and 630 (76 percent) of these motorcyclists are not wearing helmets, San Francisco may be incurring an additional annual cost of \$504,000 to \$3,150,000  $((\$4,000-\$25,000) \times 630 \times .20)$ . These are only estimates and are based on the above assumptions. The additional average cost per patient for non-helmeted motorcyclists and the percentage of injured cyclists who are not covered by insurance may vary for San Francisco.

### **Recommendation**

Approval of the proposed resolution is a policy matter for the Board of Supervisors.

Item 2 - File 12-91-3

1. The proposed resolution would urge the passage of Assembly Bill 203 relating to the establishment of rescue and rehabilitation stations for sea birds, sea otters and other marine mammals affected by oil spills in marine waters by January 1, 1992.

2. The rescue and rehabilitation stations identified in Assembly Bill 203 were provided for in State legislation enacted and signed into law in 1990. Assembly Bill 203 would require the establishment of these rescue and rehabilitation stations by January 1, 1992.

Comments

1. Mr. Jim Rote of Assembly Member Farr's Office, the sponsor of Assembly Bill 203, advises that Santa Cruz County is the proposed location of the first rescue and rehabilitation station because the University of California, Santa Cruz has existing facilities that could be used as a rescue and rehabilitation station for sea otters. To date, additional rescue and rehabilitation stations have not been planned. Mr. Ken McClellan of the State Department of Fish and Game reports that one large van used for cleaning birds affected by oil spills currently exists in Santa Barbara County and another similar van is planned for the Bay Area. These vans are designed to move to sites affected by an oil spill. In addition, the Department of Fish and Game intends to fund existing nonprofit organizations such as the International Bird Rescue and Research Center in Berkeley, or the California Marine Mammal Center in Marin, to establish rescue and rehabilitation stations for marine animals and birds affected by oil spills.

2. \$4.5 million from the State Oil Spill Fund was appropriated under Senate Bill 2040 (the legislation that provided for the rescue and rehabilitation stations) for the rescue and rehabilitation stations. The State Oil Spill Fund is supported by a \$.04 levy on each barrel of oil that crosses California's border.

3. The Department of Fish and Game was unable to determine the fiscal impact the rescue and rehabilitation stations would have on San Francisco because the Department does not know if a future station will be located in San Francisco. However, the costs related to such work, if incurred, would be paid by the State.

4. Mr. Rote reports that Assembly Member Farr sponsored Assembly Bill 203 to pressure the Department of Fish and Game to establish the rescue and rehabilitation stations. Because the Department of Fish and Game has now proposed establishing the rescue and rehabilitation station in Santa Cruz, according to Mr. Rote, Assembly Member Farr is planning to table Assembly Bill 203.

Memo to Economic and Social Policy Committee  
March 26, 1991 Economic and Social Policy Committee Meeting

**Recommendation**

Approval of the proposed resolution is a policy matter for the Board of Supervisors.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



Item 6 - File 124-91-2

**Item:** Ordinance amending Article 3, Part II, Chapter XI of the San Francisco Municipal Code (Traffic Code) by adding Section 70b which subjects to towing those vehicles left illegally parked within three feet of any sidewalk access ramp adjacent to a crosswalk.

**Description:** The proposed ordinance would require the Department of Parking and Traffic to tow vehicles left illegally parked within three feet of any sidewalk access ramp constructed adjacent to a crosswalk. The purpose of this proposed ordinance is to maintain sidewalk access ramps accessible to and usable by the physically handicapped.

**Comments:** 1. Ms. Rina Cutler, Director of the Department of Parking and Traffic, reports that the proposed ordinance would not require additional staff time to enforce. Currently, the Department tickets these illegally parked vehicles that park within three feet of a sidewalk access ramp adjacent to crosswalks. The current citation cost for parking in front of an access ramp is \$100. The current citation cost for parking in a crosswalk but not in front of a sidewalk access ramp is \$10.

2. The proposed ordinance would require the Department, in addition to ticketing, to have the vehicle towed by City Tow at a cost to the driver. The current tow costs are \$80 to tow a vehicle plus \$25 a day for storage charges.

3. Although the proposed ordinance would require the Department of Parking and Traffic to tow vehicles left illegally parked within three feet of any sidewalk access ramp adjacent to a crosswalk, Ms. Cutler advises that the Department of Parking and Traffic, as a matter of policy, would not tow cars that were not blocking a sidewalk access ramp.

4. Ms. Cutler reports that the Department of Parking and Traffic would paint access ramps red to warn drivers that access curbs are tow away zones. Ms. Cutler further advises that the cost to paint the access curbs red would be absorbed within the Department's existing budget.

**Recommendation:** Approve the proposed ordinance.





Item 8 - File 97-90-51

**Note:** This item was continued at the December 13, 1990, Economic and Social Policy Committee meeting.

**Item:** Ordinance to amend the Administrative Code by amending Sections 12D.5, 12D.6, 12D.8, 12D.13 and 12D.15 thereof, relating to the procurement of goods and services and the award of public contracts by the City to MBE/WBE/LBE firms.

**Description:** Chapter 12D of the San Francisco Administrative Code, known as the MBE/WBE/LBE Ordinance -- II ("the Ordinance") concerns the award of prime contracts for construction, certain goods, supplies, materials, equipment, and general and professional services. The Ordinance extends benefits only to San Francisco based businesses. Economically disadvantaged MBE/WBE businesses located and doing business in San Francisco receive a bid preference of 10%. Local businesses other than MBE/WBE firms receive a 5% bid preference when competing for City contracts. Joint ventures composed of MBE and/or WBE firms and majority firms are eligible to receive bid preferences under certain conditions.

The proposed amendments are discussed below.

Section 12D.5. Definitions.

1. Section 12D.5, page 2, lines 12 - 13: This proposed amendment would clarify that gifts of materials, equipment, supplies or services to the City are excepted from the definition of a "contract".
2. Section 12D.5, page 3, lines 26 - 27: This proposed amendment would clarify that the definition of "good faith efforts" refers to actions undertaken by a City department to obtain MBE or WBE participation in a contract as prime contractors.
3. Section 12D.5, page 5, line 13: This proposed amendment would add Asian Indians to the ethnic category of Asians.

Section 12D.6. Powers and Duties of the Human Rights Commission and the Director, HRC.

1. Section 12D.6, page 8, lines 22 - 23: This proposed amendment would clarify that in order to qualify as a local business, the business must be listed in an appropriate business buyers guide such as a telephone yellow pages listing of San Francisco-based businesses.

2. Section 12D.6, page 8, lines 25 - 26: This proposed amendment would clarify that the requirement that businesses must conspicuously display a business sign at the San Francisco business premises in order to qualify as a locally based business be excepted where the business operates out of a residence.
3. Section 12D.6 page 8, lines 29 - 30 to page 9, lines 1 - 10: This proposed amendment would clarify that a business denied certification as an MBE/WBE/LBE firm because it has not been established in San Francisco for the requisite six months can reapply for such certification without having to wait another six months.

Section 12D.8. Powers and Duties of the Mayor, Departments or Contract Awarding Authorities.

1. Section 12D.8, page 11, lines 28 - 30 to page 12, lines 1-3: This proposed amendment would clarify that a five percent bid preference shall be granted to a joint venture between a non-local business and a local MBE or local WBE with such local MBE or WBE participation equal to or exceeding 35 percent but less than 51 percent. Additionally, a joint venture composed of only local businesses but with no local MBE or WBE participation, or where such MBE or WBE participation is less than 35 percent, would also be granted a five percent bid preference.
2. Section 12D.8, page 12, lines 8 - 11: This proposed amendment would clarify that a joint venture shall receive a bid preference when the MBE or WBE is an active partner in the joint venture and performs work, manages the job and takes financial risks in proportion with the required level of participation stated in the bid documents.

Section 12D.13. Exceptions and Waivers.

1. Section 12D.13, page 16, line 1: This proposed amendment would require waiver of MBE/WBE bid preferences and good faith efforts whenever the Director, HRC finds that needed goods or services are available only from a sole source, regardless of the MBE or WBE certification status of that sole source. Currently, a waiver is not necessary if the sole source firm is also an MBE or a WBE firm.

Section 12D.15. Reporting and Review.

10. Section 12D.15, page 17, line 6: This amendment clarifies that the Director, HRC shall report to the HRC on all waivers acted upon, rather than report just on those waivers granted.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

**Comment:**

The proposed legislation would amend five sections of the Ordinance, including the addition of Asian-Indians in the "Asian" MBE category. The remaining proposed amendments are essentially technical changes intended to clarify the intent of the Ordinance.

**Recommendation:** Approval of the proposed amendments to the MBE/WBE/LBE Ordinance II is a policy matter for the Board of Supervisors.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



Item 9 - File 284-90-1

**Note:** This item was continued at the December 13, 1990 meeting of the Economic and Social Policy Committee.

1. This item is a hearing to consider the City and County of San Francisco Minority/Women/Local Business Utilization Ordinance (MBE/WBE/LBE Ordinance II) Fiscal Year 1989-1990 Progress Report for the period July 1, 1989 through June 30, 1990, prepared by the Human Rights Commission (HRC). Section 12.D15 of the Ordinance requires that the HRC submit by March 1st of each fiscal year subject to the Ordinance an annual report to the Mayor, the Board of Supervisors, and the Chief Administrative Officer on the progress of the City toward the goals stated in Section 12D.3 of the Ordinance. Also to be included in the annual report are the identification of problems and specific recommendations for: (1) discontinuing the race- or gender-conscious bid preferences in those cases where the bid preferences have remedied the identified discrimination against MBE's and WBE's; and (2) improving the City's performance in remedying the identified discrimination against MBEs and WBEs.

2. The MBE/WBE/LBE Ordinance II, which became effective July 1, 1989, provides a five percent bid preference for local businesses and provides for a ten percent bid preference for local economically disadvantaged MBE/WBEs in industries where the disparity between contract dollars awarded to MBE/WBEs and the available number of MBE/WBEs is determined to be statistically significant and not attributable to chance. The Ordinance further provides for City-wide goals for MBEs (by ethnic group) and WBEs for each industry in which a bid preference is specified.

3. The Ordinance will expire on June 30, 1992, unless the HRC, after conducting public hearings, finds that the purposes of the Ordinance have not been achieved. Based on such a finding, the Board of Supervisors may extend the Ordinance for an additional three-year period.

Scope of the Report

The Report compares MBE/WBE participation by industry during FY 1989-90 with FY 1987-88. The FY 1989-90 data in the Report was generated by the HRC's new computerized reporting system. According to the Report, FY 1987-88 was chosen as the year of comparison because the data available for that year is directly comparable with the current Ordinance. In addition, the FY 1987-88 data was used to establish the goals of the current Ordinance.

The Report provides an analysis of City contracting and MBE/WBE participation in City contracts and includes discussions of 1) the certification process and the impact of the narrowing of the definition of qualified MBE/WBEs to include only San Francisco firms; 2) the procedures for waivers; 3) outreach and technical assistance; 4) departmental good faith efforts; 5) the



implementation of the HRC automated reporting system and 6) recommendations for amendments to the MBE/WBE/LBE Ordinance II.

### Citywide Statistics

The following chart summarizes the findings of the Progress Report regarding MBE and WBE participation levels by industry. The Report includes a comparison of City-wide MBE/WBE participation during FY 1989-90 with FY 1987-88. FY 1987-88 was chosen as the year of comparison because the data available for that year are directly comparable with the current Ordinance. In addition, the FY 1987-88 data were used to establish the goals of the current Ordinance. During 1987-88, the MBE/WBE Ordinance established City-wide goals of 30% MBE and 10% WBE. In 1989-90, the goals vary by ethnic/gender group and by industry, as shown below. Data which was not available is labelled "N/A", and percentages which were not significant or less than 0.1 percent are labelled "n/s."

	<u>MBE Goal</u>	<u>Certified<sup>1</sup> MBEs</u>	<u>All MBEs</u>	<u>WBE Goal</u>	<u>Certified WBEs</u>	<u>All WBEs</u>	<u>Citywide Contracts</u>
Construction/ Facilities Maintenance							
1987-88	30%	\$7,761,806 11.1%	\$18,834,674 22%	10%	\$851,315 1.2%	N/A	\$84,896,132
1989-90	49.5%	\$2,959,586 <sup>a</sup> 1.2%	\$21,572,027 4.3%	7%	\$8,636 n/s	\$42,290 n/s	\$499,816,601
Legal Services							
1987-88	30%	\$0 -	\$0 -	10%	\$0 -	\$0 -	\$2,659,516
1989-90	N/A	\$128,000 7.1%	\$131,000 6.5%	N/A	\$0 -	\$68,000 3.4%	\$2,002,337
Architectural and Engineering							
1987-88	30%	\$2,359,188 27.1%	\$4,074,254 20%	10%	\$54,700 0.6%	\$1,598,296 10%	\$19,464,670
1989-90	10.2%	\$49,610 0.3%	\$1,320,607 6.0%	16.8%	\$421,452 2.7%	\$421,452 1.8%	\$23,142,223
Computer Systems							
1987-88	30%	\$216,390 9.3%	\$216,390 9%	10%	\$0 -	\$0 -	\$2,332,308
1989-90	40%	\$208,476 8.9%	\$280,476 5.9%	20%	\$66,000 2.8%	\$66,000 1.4%	\$4,731,034

<sup>1</sup> Certified MBEs/WBEs are economically disadvantaged local firms that have been certified as such by the HRC. Registered MBEs/WBEs are firms that are owned by minorities or women but do not qualify to be certified under the Ordinance.

<sup>a</sup> The Report contains a typographical error and actually shows \$2,959,58\_ and 71.2 %.

Memo to Economic and Social Policy Committee  
 March 26, 1991 Economic and Social Policy Committee Meeting

	<u>MBE Goal</u>	<u>Certified MBEs</u>	<u>All MBEs</u>	<u>WBE Goal</u>	<u>Certified WBEs</u>	<u>All WBEs</u>	<u>Citywide Contracts</u>
Finance and Insurance Services							
1987-88	30%	\$0 —	\$0 —	10%	\$0 —	\$0 —	\$71,200
1989-90	N/A	\$0 —	\$250,475 1.6%	N/A	\$0 —	\$0 —	\$16,059,535
Auditing and Accounting							
1987-88	30%	\$268,500 84.4%	\$268,500 84%	10%	\$0 —	\$0 —	\$318,300
1989-90	N/A	\$0 —	\$129,500 6.8%	N/A	\$0 —	\$0 —	\$1,893,124
Management Consulting							
1987-88	30%	\$152,200 1.6%	\$152,200 1.0%	10%	\$110,656 1.1%	\$110,656 1.0%	\$9,744,840
1989-90	43.6%	\$31,252 3.5%	\$177,500 10.9%	61.8%	\$46,146 5.2%	\$62,396 3.8%	\$1,635,035
Medical Services							
1987-88	30%	\$1,527,164 82.5%	\$1,527,164 82.0%	10%	\$88,686 4.8%	\$88,686 4%	\$1,850,839
1989-90	N/A	\$0 n/s	\$958,201 1.7%	41.2%	\$26,400 0.1%	\$257,473 0.4%	\$55,637,670
Misc. Professional Services							
1987-88	30%	\$131,760 1.5%	\$131,760 1.5%	10%	\$342,395 4.0%	\$342,395 3.0%	\$8,661,551
1989-90	N/A	\$0 n/s	\$285,879 1.2%	N/A	\$0 n/s	\$314,802 1.3%	\$24,543,487
Equipment and Supplies							
1987-88	30%	\$3,051,831 16.8%	\$8,498,427 11.0%	10%	\$1,934,711 10.6%	\$2,389,918 3.0%	\$74,195,976
1989-90	46.8%	\$4,462,758 13.3%	\$5,471,285 4.8%	15.5%	\$2,533,183 7.6%	\$4,321,143 3.8%	\$113,333,497
General Services							
1987-88	30%	\$831,416 3.0%	\$973,925 1.1%	10%	\$193,079 0.7%	\$117,075 0.1%	\$91,265,552
1989-90	48.9%	\$766,657 0.9%	\$1,425,384 1.2%	26.3%	\$331,705 0.4%	\$468,660 0.4%	\$116,421,875

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

### Departmental Statistics

The Report contains a section on the performance of individual departments for FY 1989-90. For each department the Report shows the percentage and dollar amount of contracts awarded to certified MBEs and WBEs, registered MBEs/WBEs and combined certified and registered MBEs and WBEs. The Report also shows the percentage and dollar amount of all departmental contracts awarded to non-MBEs and non-WBEs and the amount of total awards. LBE participation is also shown. In summary, Citywide contracting was as follows:

	<u>MBE/WBE</u>			<u>Citywide</u>
	<u>Certified</u>	<u>Registered</u>	<u>Combined</u>	
MBE	\$8,606,338 1.0%	\$26,903,002 3.1%	\$35,509,340 4.1%	
WBE	3,433,522 0.4%	2,596,095 0.3%	6,029,616 0.7%	
Non MBE/WBE				\$826,224,496 95.4% <sup>a</sup>
Total				\$865,695,591 <sup>b</sup> 100.0%
LBE				\$269,121,712 31.1%

### Recommendations of the Report

The Report notes that the City Attorney has forwarded legislation to the Board of Supervisors which amends five sections of the Ordinance and that the City Attorney has characterized these changes as "cleanup" changes that are intended to clarify the original intent of the Ordinance. Those changes are the subject of File No. 97-90-51, on the March 26, 1991 Economic and Social Policy Committee Calendar, Item 8.

The FY 1989-90 Progress Report contains 11 HRC recommendations "to improve the enforcement of the Ordinance and to better achieve its purposes." The summary topics of the 11 recommendations with a brief explanation for each follows:

1. Review of large Requests For Proposal (RFP) for the possibility of breaking the project into smaller units: Departments should be

<sup>a</sup> According to the Budget Analyst's calculations, the percentage should be 95.2%.

<sup>b</sup> According to the Budget Analyst's calculations, the total should be \$867,763,452.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

required to submit all large proposals to the HRC for review prior to releasing an RFP for the HRC to determine whether the proposal can be reasonably broken into smaller projects.

2. Reevaluate which professions/trades should receive a bidding preference: The HRC should be provided with resources to develop staff capabilities to perform statistical analyses for the purpose of determining whether the basis for granting preferences for racial/ethnic groups in specific professions/trades should be changed.
3. Professional Services Contracts: The definition of "professional services" should be changed to include all professional services, not just the five professional service areas for which the Board of Supervisors has set City-wide goals, while limiting the bid preference and MBE/WBE goals to specific consulting areas.
4. Redefine the joint venture participation requirements to prevent MBEs and WBEs from acting as "Fronts" for majority-owned firms: Some MBE/WBE firms have performed more like a subcontractor than a partner in a joint venture. An MBE/WBE firm participating as a joint venture should demonstrate the capability of performing the required tasks, exercising day-to-day management control, assuming financial risk in proportion with its level of participation, and using its own employees and equipment.
5. Additional incentives for majority-owned businesses to joint venture with MBEs and WBEs: MBE/WBE firms are obtaining only a very small share of City contracts through joint ventures with majority-owned firms, while a number of large-sized LBEs take advantage of the five percent LBE bid preference by joint venturing with each other. The HRC recommends the addition of a 7.5 percent preference to a joint venture between a non-LBE and a certified MBE or WBE with a certain participation rate and a joint venture between an LBE and a certified MBE or WBE with a certain participation rate. The exact participation rates may differ from industry to industry.
6. Require departments to implement nondiscriminatory selection processes: Departments can circumvent the intent of the Ordinance by removing MBEs and WBEs from the selection process before they have had an opportunity to bid on proposed projects. For example, in the areas of professional services and architecture/engineering, contractors bid in a two-step evaluation process. Since the bid preferences apply only at the bidding stage, a number of departments have excluded qualified MBE/WBE firms by eliminating them in the first stage, "short listing," process. The HRC should be given the power to stop and/or intervene in the selection process whenever issues concerning good faith efforts are discovered.



7. Definite waiver procedures should be established: Neither the Ordinance nor the MBE/WBE/LBE Regulations specify what procedures a department must satisfy before submitting an application for a waiver. The HRC should develop a list of steps that a department must take before it can seek a waiver. Additionally, the HRC will implement new procedures to enhance oversight of emergency contract processing.
8. Certification denial: Currently, the Ordinance requires that a business denied certification only because it applied too early and has not been established in the City for the requisite six months, wait an additional six months after the date of denial before reapplying for certification. The HRC recommends that the process be changed to not require denial of the certification request, but allow an extension of the certification application period until the business has met the six month requirement.
9. Revocation of certification: The Ordinance currently provides that a firm having had its certification revoked by the HRC Director may reapply for certification six months after the revocation. The HRC recommendation is to extend the waiting period to two years.
10. Ownership issues:
  - a. The Ordinance defines "owned" as possessing an ownership interest of **over** 50 percent. However, the nationwide standard set by the federal government for ownership of an MBE/WBE, which is adhered to by all other Bay Area jurisdictions, is 51 percent. Cooperation between jurisdictions in honoring other certifications would be facilitated, were the City to use the standard MBE/WBE ownership definition.
  - b. The Ordinance specifies that MBE/WBE ownership will not be considered subject to the community interest of a spouse if both spouses have bona fide management and control of the business. It is presently unclear whether the management and control can be 50%/50% like the ownership, or whether the minority or female spouse is required to be the boss in order for the firm to qualify as a bona fide MBE/WBE. The HRC recommends that the management and control requirement also be 50%/50% but that the Ordinance make explicit that both spouses must be qualified to carry out the services that the business provides, e.g., both spouses must be architects in an architectural firm.
11. Departmental good faith efforts: The Ordinance is not clear on whether the good faith outreach efforts required of departments extends to "registered" firms. The HRC recommends that an administrative directive should be issued from its office explaining that departments are to extend good faith effort to "registered" firms.

### Comments

1. Section 12D.15 of the Ordinance states that "The Board of Supervisors shall act upon the Commission's recommendations by the third Board meeting of May in each fiscal year subject to this ordinance."

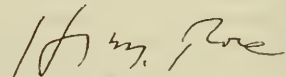
2. The Mayor issued an Executive Directive concerning the MBE/WBE Program on October 12, 1990. The purpose of that Executive Directive was to "clarify and emphasize the importance and priority of utilizing economically disadvantaged minority and woman-owned enterprises (MBEs and WBEs) and local business enterprises (LBEs) in City contracting." Salient portions of the Executive Directive are as follows:

- a. The Report on MBE/WBE utilization by the Human Rights Commission shows that, taken as a whole, City departments have not provided equal opportunities to economically disadvantaged minority and women-owned enterprises;
- b. Effective immediately, all City departments, agencies, boards, and commissions must revise their contracting policies to ensure meaningful utilization of economically disadvantaged MBEs, WBEs and LBEs or document good faith efforts to utilize those firms;
- c. Each City department is to prepare a plan, to be submitted to the Mayor's Office within 30 days, detailing efforts to improve performance for the next year;
- d. Failure to utilize MBEs, WBEs, and LBEs on City contracts or to make good faith efforts to utilize such firms will result in the review of departmental budgets to tie spending authority to specific achievement goals;
- e. A listing of specific good faith efforts City departments can make to utilize MBEs, WBE, and LBEs;
- f. A statement urging City departments to voluntarily work with prospective bidders of City contracts to maximize MBE/WBE/LBE participation in subcontracting;
- g. Departments, in the deposit of City funds and in the award of leases, franchises, concessions, and contracts not subject to bid preferences in the current MBE/WBE/LBE ordinance, are urged to make every good effort to use the services of MBEs, WBEs, and LBEs;

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



- h. The performance of each department will be evaluated as part of the overall budget process. Poor performance, as well as exemplary performance, under the MBE/WBE/LBE Ordinance will be an important factor in determining all budget requests for each fiscal year;
- i. A listing of specific groups within specific industries, with MBE/WBE goals for each.



Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board  
Legislative Policy Analysts  
Chief Administrative Officer  
Controller  
Sam Yockey  
Ted Lakey

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

CALENDAR - ACTIONS TAKEN

MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, MARCH 26, 1991 - 2:00 P.M.

ROOM 228, CITY HALL

PRESENT: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

ABSENT: SUPERVISOR ALIOTO - ITEMS 8 and 9

CLERK: KAY GULBENGAY

1. File 12-91-8. [State Legislation] Resolution supporting AB 7 (Floyd) and urging the State Legislature to pass this measure requiring all California motorcyclists to wear approved safety helmets. (Supervisor Alioto)

ACTION: Hearing held. Recommended.

2. File 12-91-3. [State Legislation] Resolution urging passage of Assembly Bill 203 relating to establishment of rescue and rehabilitation stations for sea birds, sea otters and other marine mammals affected by oil spills in marine waters by January 1, 1992. (Supervisor Maher)

ACTION: Continued to call of the chair at the request of the author.

3. File 20-91-1. Hearing to consider enacting legislation to permit a left turn from Broadway into north Beach, eastbound, between the Broadway Tunnel and Montgomery Street. (Supervisor Maher)

ACTION: Hearing held. Resolution (as presented by Supervisor Maher) prepared in and reported out of committee amended on page 1 line 2 by replacing "re-designating" with "adding" and further amended on line 15 by replacing "Powell Street" with "Columbus Avenue" and on line 24 by replacing "Powell Street" with "Columbus Avenue" and on line 26 by replacing the resolved clause with "Resolved, The San Francisco Board of Supervisors amends Resolution No. 13009 that designates street intersections from which left-hand turns are prohibited--all times by adding the intersection of Broadway, east bound traffic, into Columbus Avenue from which left-hand turns are prohibited--between the hours of 7:00 a.m. and 9:00 a.m. and between 4:00 p.m. Monday through Friday" and on line 28 by replacing "Powell Street" with "Columbus Avenue" and on page 2 line 1 by replacing "Powell Street" with "Columbus Avenue".

Entitled: "Amending Resolution No. 13009, by adding the intersection of Broadway, east bound traffic, into into Columbus Avenue from which left-hand turns are prohibited--between the hours of 7:00 A.M. and 9:00 A.M. and between 4:00 P.M. and 6:00 P.M. Monday through Friday, and requesting the Department of Public Works to erect a left-turn signal and appropriate signs giving notice of such prohibition." Recommended as amended. (Supervisor Alioto added as co-sponsor.)

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MAR 29 1991

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4. File 110-91-1. Hearing to consider establishing moratorium on nail shops along the Upper Fillmore commercial corridor. (Supervisor Maher)

ACTION: Hearing held. Ordinance to be prepared by City Attorney establishing a moratorium on nail shops along the Upper Fillmore commercial corridor for one year. (See File for details)  
Recommended to Board, Monday, April 15, 1991.  
(Supervisor Kennedy added as co-sponsor.)

5. File 176-91-1. [Ritz-Carlton Hotel Labor Force] Resolution welcoming the Ritz Carlton Hotel of San Francisco based labor force, particularly residents of color, in meeting its hiring needs at all levels of the Hotel's personnel organization. (Supervisors Ward, Achtenberg, Kennedy, Alioto, Britt, Gonzalez, Migden, Shelley)

ACTION: Hearing held. Recommended.

6. File 124-91-2. [Towing Cars from Access Ramps] Draft Ordinance amending Article 3, Part II, Chapter XI, San Francisco Municipal Code (Traffic Code) by adding Section 70b which subjects to towing vehicles left illegally parked within three feet of any sidewalk access ramp constructed adjacent to a crosswalk so as to be accessible to and usable by the physically disabled. (Supervisors Achtenberg, Alioto, Hallinan)

ACTION: Hearing held. Ordinance (as presented by Supervisor Achtenberg) recommended. (Supervisors Kennedy, Shelley, Hsieh added as co-sponsors.)

File 124-91-2.1. Resolution (as presented by Supervisor Migden) prepared in and reported out of committee.

Entitled: "Urging the Mayor to urge the Parking and Traffic Commission and Department to work with advocates and representatives of the mobility impaired community in designating the highest priority sidewalk access ramps in the City and County of San Francisco to be painted red; urging commencement of painting sidewalk access ramps in these designated areas immediately; urging the completion of the painting of the City's sidewalk access ramps red within six months." Recommended.

7. File 115-91-3. [Designating the Buena Vista North Historic District] Ordinance amending Article 10 of the City Planning Code, Part II Chapter II of the Municipal Code by adding Appendix J designating the Buena Vista North Historic District. (Department of City Planning)

ACTION: Hearing held. Continued to April 23, 1991 meeting.

SPECIAL ORDER - 5:00 P.M.

8. File 97-90-51. [MBE/WBE/LBE - Prime Contracts] Ordinance amending the Administrative Code by amending Sections 12D.5, 12D.6, 12D.8, 12D.13 and 12D.15 thereof, relating to the procurement of goods and services and the award of public contracts by the City and County of San Francisco from minority business enterprises, women business enterprises and local businesses. (Supervisor Kennedy)  
(Continued from 12/13/90)

ACTION: Hearing held. Continued to call of the chair for special meeting date to be determined.

9. File 284-90-1. Hearing to consider the Human Rights Commission's Minority Business Enterprise/Women Business Enterprise/Local Business Enterprise Ordinance II Report with Recommendations. (Supervisor Kennedy)  
(Continued from 12/13/90)

ACTION: Hearing held. Continued to call of the chair for special meeting date to be determined.



CITY AND COUNTY



OF SAN FRANCISCO

## BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

March 29, 1991

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APR 2 1991

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TO: Economic and Social Policy Committee

FROM: Budget Analyst - *recommendations*

SUBJECT: April 2, 1991 Special Economic and Social Policy Committee Meeting

### Item 2 -File 12-91-11

The proposed resolution would oppose (a) the Governor's proposed cuts to Aid to Families with Dependent Children (AFDC) benefit levels and (b) the elimination of the AFDC Homeless Assistance Program and urge the Governor to raise the level of AFDC benefits by at least nine percent to cover the 1990-91 cost of living increase. In addition, this resolution would urge the Mayor to urge State Representatives and the General manager of the Department of Social Services (DSS) to take all actions necessary to achieve the objectives of this resolution.

The Governor has proposed decreasing AFDC benefit levels by nine percent and eliminating the AFDC Homeless Assistance Program for Fiscal Year 1991-92. The proposed nine percent cut would reduce the current AFDC benefit level of \$694 by approximately \$62 to \$632. According to a report by DSS on the impacts to San Francisco from the proposed AFDC cuts, the Governor is proposing AFDC cuts in the hopes of creating additional work incentives for persons currently receiving AFDC benefits.

### Comments

According to a report by DSS, the proposed State cuts in AFDC benefits and the elimination of the AFDC Homeless Assistance Program would have the following impacts on San Francisco:

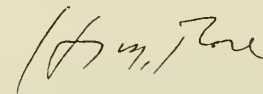


- Increase the difficulty for AFDC recipients to retain permanent housing. In San Francisco, approximately 40 percent of AFDC clients pay 50 percent or more of their income for rent. Approximately 12,000 families in San Francisco currently receive AFDC benefits.
- The proposed elimination of the AFDC Homeless Assistance Program is likely to result in increased demand by homeless families for City homeless shelters. Approximately 300 families in San Francisco per month receive AFDC Homeless Assistance to pay for temporary shelter and move-in costs for permanent housing. Elimination of the AFDC Homeless Assistance would make it more difficult for families to move into permanent housing, which would cause them to remain longer in shelters. Such increased demand for the City's homeless services is estimated to cost the City approximately \$1.4 million annually, according to DSS's report.
- San Francisco's General Assistance payments are tied by ordinance to the State's AFDC need standard which is \$341 per single individual, \$560 for a family of two, \$694 for a family of three and \$824 for a family of four. A New York Supreme Court case established a precedent that could result in a requirement that the county pay the difference between the AFDC grant and the need standard. As a result, if the State lowers the monthly AFDC payment amount but retains the current need standard, as proposed by the Governor, San Francisco may have to pay a higher amount in General Assistance payments to compensate for the State's cut in AFDC payments. If this occurs, it is estimated that it would cost the City up to \$7.8 million in additional expenses for General Assistance.

DSS advises that, because San Francisco's General Assistance payments are tied by ordinance to the State's AFDC need standard, if the State increases AFDC payments by nine percent, as the proposed ordinance requests, San Francisco would have to increase General Assistance payments by nine percent. If this occurs, according to Mr. Raymond Coleman of DSS, it is estimated that it would cost the City up to \$7.8 million in additional expenses for General Assistance.

**Recommendation**

The proposed resolution is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board  
Legislative Policy Analysts  
Chief Administrative Officer  
Controller  
Sam Yockey  
Ted Lakey



CITY AND COUNTY



OF SAN FRANCISCO

**BOARD OF SUPERVISORS****BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

Revised

March 29, 1991

**DOCUMENTS DEPT.****TO:** Economic and Social Policy Committee

APR 2 1991

**FROM:** Budget Analyst - recommendationsSAN FRANCISCO  
PUBLIC LIBRARY**SUBJECT:** April 2, 1991 Special Economic and Social Policy Committee MeetingItem 2 -File 12-91-11

The proposed resolution would oppose (a) the Governor's proposed cuts to Aid to Families with Dependent Children (AFDC) benefit levels and (b) the elimination of the AFDC Homeless Assistance Program and urge the Governor to raise the level of AFDC benefits by at least nine percent to cover the 1990-91 cost of living increase. In addition, this resolution would urge the Mayor to urge State Representatives and the General manager of the Department of Social Services (DSS) to take all actions necessary to achieve the objectives of this resolution.

The Governor has proposed decreasing AFDC benefit levels by nine percent and eliminating the AFDC Homeless Assistance Program for Fiscal Year 1991-92. The proposed nine percent cut would reduce the current AFDC monthly benefit level of \$694 by approximately \$62 to \$632. According to a report by DSS on the impacts to San Francisco from the proposed AFDC cuts, the Governor is proposing AFDC cuts in the hopes of creating additional work incentives for persons currently receiving AFDC benefits.

**Comments**

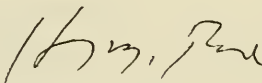
According to a report by DSS, the proposed State cuts in AFDC benefits and the elimination of the AFDC Homeless Assistance Program would have the following impacts on San Francisco:

- Increase the difficulty for AFDC recipients to retain permanent housing. In San Francisco, approximately 40 percent of AFDC clients pay 50 percent or more of their income for rent. Approximately 12,000 families in San Francisco currently receive AFDC benefits.
- The proposed elimination of the AFDC Homeless Assistance Program is likely to result in increased demand by homeless families for City homeless shelters. Approximately 300 families in San Francisco per month receive AFDC Homeless Assistance to pay for temporary shelter and move-in costs for permanent housing. Elimination of the AFDC Homeless Assistance would make it more difficult for families to move into permanent housing, which would cause them to remain longer in shelters. Such increased demand for the City's homeless services is estimated to cost the City approximately \$1.4 million annually, according to DSS's report.
- San Francisco's General Assistance payments are tied by ordinance to the State's AFDC monthly need standard which is \$341 per single individual, \$560 for a family of two, \$694 for a family of three and \$824 for a family of four. A New York Supreme Court case established a precedent that could result in a requirement that the county pay the difference between the AFDC grant and the need standard. As a result, if the State lowers the monthly AFDC payment amount but retains the current need standard, as proposed by the Governor, San Francisco may have to pay a higher amount in General Assistance payments to compensate for the State's cut in AFDC payments. If this occurs, it is estimated that it would cost the City up to \$7.8 million annually in additional expenses for General Assistance.

DSS advises that, because San Francisco's General Assistance payments are tied by ordinance to the State's AFDC need standard, if the State increases AFDC payments and the need standard by nine percent, San Francisco would have to increase General Assistance payments by nine percent. If this occurs, according to Mr. Raymond Coleman of DSS, it is estimated that it would cost the City approximately \$3.3 million annually in additional expenses for General Assistance. Although the proposed resolution does not request an increase in the State's need standard, Mr. Coleman advises that an increase in the State's AFDC payment normally means an increase in the State's need standard.

**Recommendation**

The proposed resolution is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
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CALENDAR ACTION TAKEN

SPECIAL  
MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, APRIL 2, 1991 - 1:30 P.M.

ROOM 228, CITY HALL

PRESENT: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

CLERK: KAY GULBENGAY

1. File 111-91-1. [Interim Zoning Controls - Gasoline Station] Resolution extending for an additional six months Interim Zoning Controls imposed making it unlawful to convert property on which a service station business is conducted to non-service station use. (Supervisor Hallinan)

ACTION: Hearing held. Recommended.

2. File 12-91-11. [AFDC Benefit Levels] Resolution opposing Governor Wilson's proposed cuts to Aid to Families with Dependent Children (AFDC) benefit levels and elimination of the AFDC Homeless Assistance Program; urging Governor Wilson to raise the level of grants by at least nine percent to cover the 1990-91 cost of living adjustments. (Supervisor Alioto)

ACTION: Hearing held. Recommended.

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APR 5 1991

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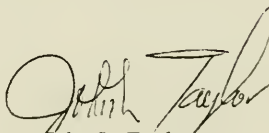
April 2, 1991

CALENDAR

NOTICE OF CANCELLED MEETING

ECONOMIC & SOCIAL POLICY COMMITTEE

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting  
of the Economic & Social Policy Committee for Tuesday,  
April 9, 1991, at 2:00 p.m., has been cancelled.

  
John L. Taylor  
Clerk of the Board

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POSTED: April 3, 1991

APR 5 1991  
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CITY AND COUNTY



OF SAN FRANCISCO

## BOARD OF SUPERVISORS

### BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

April 11, 1991

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APR 15 1991

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TO: Economic and Social Policy Committee

FROM: Budget Analyst - Recommendations

SUBJECT: April 16, 1991 Economic and Social Policy Committee Meeting

#### Item 2 - File 107-90-2

**Note:** This item was continued from the Economic and Social Policy Committee Meeting of September 27, 1990

**Department:** Department of Social Services (DSS)

**Item:** Hearing on the Department of Social Services' Early Fraud Detection Program (FRED Program).

**Description:** In March of 1990, DSS began operating a "Front-end" early fraud detection program, known as FRED, for the AFDC, Food Stamps, and General Assistance Programs. According to DSS, San Francisco is the 24th county in California to develop a FRED Program. The objectives of the FRED Program are to:

- 1) Prevent ineligible persons from receiving aid for which they have applied;
- 2) Reduce the number of referrals for prosecution of welfare fraud;
- 3) Attempt to find, for ineligible persons, alternative sources of aid for which they are eligible.

The FRED Program attempts to verify information given in client applications prior to the determination of eligibility of the client. FRED investigators do not review all applications; rather, eligibility workers for the AFDC, Food Stamps, and General Assistance Programs refer selected applications to the FRED Program for



verification. DSS investigators for the FRED Program verify application information through home visits, client interviews, authorized third party contacts, and other resources. After the investigator verifies the application information, the investigator recommends that the client either receive aid, be denied aid, or be referred to another aid program for which the client may be eligible.

The FRED Program is staffed with one supervisor, eight eligibility workers, one social worker, and one clerk.

For the period July 1, 1990 through December 31, 1990, the FRED Program has handled 847 referrals. Of the total of 847 referrals, FRED Program staff found 389 cases to be eligible and recommended continuation or awarding of immediate aid, and found 458 cases to be ineligible and recommended aid be denied or discontinued.

- Comments:**
1. DSS estimates that, for the period July 1, 1990 through December 31, 1990, the FRED Program has saved \$549,185 or about \$648 per referral of the total of 847 referrals.
  2. DSS further reports that most of the savings during the first six months of FY 1990-91, or approximately \$505,825, have accrued to the State and Federal governments. The County's General Fund savings total approximately \$43,360 (See Attachment). The reason why most of the savings accrue to the Federal and State governments is because the AFDC and Food Stamps programs are 95 percent funded by the Federal and State governments. The City pays for the remaining five percent of the cost of these programs. Therefore, the Federal and State governments receive most of the savings benefit from the FRED Program.
  3. For all of Fiscal Year 1990-91, DSS expects to save a net total of \$1.25 million in reduced aid payments, which is nearly two and a half times more than the \$550,000 six months savings reported above. This is due to the accumulation of savings from new case referrals in the second half of FY 1990-91. Of the total of \$1.5 million, DSS expects to save \$100,000 in County General Fund monies. Mr. Raymond Colmenar of DSS further advises that these savings may increase in FY 1991-92 if State Senate Bill 671 is passed, which would make the FRED Program fully funded by the State.

TABLE I  
ESTIMATED FRAUD PREVENTION COSTS AND BENEFITS  
BASED ON FIRST SIX MONTHS OF FISCAL YEAR 1990-1991

	AFDC	SAVINGS AFDC Homeless	GA	FS	TOTAL SAVINGS	Costs	NET SAVINGS
Total	\$436,480	\$236,453	\$57,629	\$10,285	\$740,847	\$191,663	\$549,185
Federal	\$218,240	\$118,227		\$1,785	\$338,252	\$95,831	\$242,420
State	\$196,416	\$106,404			\$302,820	\$47,916	\$254,904
Local	\$21,824	\$11,823	\$57,629		\$91,276	\$47,916	\$43,360

Casemonths\*

Six Months	640	247	169	121
------------	-----	-----	-----	-----

Grant Amt.	682	630	341	85
		1,091		

\*Assumes 5 percent of those discontinued or denied reapply successfully for aid based on experience to date

Assumes GA and Food Stamps clients who are discontinued or denied remain off aid for four months.

Assumes AFDC clients who are discontinued or denied remain off aid for nine months.

Assumes a third of AFDC Homeless recipients receive permanent homeless assistance.



Item 4 - File 171-91-3

The proposed resolution would urge the California Department of Transportation (Caltrans) to consider the demolition and replacement of the elevated Central Freeway rather than retrofit the Freeway. The proposed resolution would further urge Caltrans to meet with parents of John Swett Elementary School students and officials of the San Francisco Unified School District to plan and provide for the safety, educational and environmental needs during any demolition or construction phase of the Central Freeway.

The Central Freeway has been closed to traffic since the October 17, 1989 Loma Prieta Earthquake. The Central Freeway currently has an upper deck with two Southbound lanes, and a lower deck with two Northbound lanes. The Southbound on ramp is located at the intersection of Turk Street and Gough Street, and the Northbound off ramp is located on Franklin Street. Caltrans reports that current plans include demolishing the upper deck of the Central Freeway between Oak Street and Turk Street, retrofitting the lower deck, and rebuilding the existing ramps. The proposed retrofitted lower deck would have four lanes of traffic, two lanes in each direction, with a concrete median strip separating the two lanes of traffic moving in opposite directions. Caltrans proposes to use its existing right of way on the lower deck, without expanding the width of the Freeway. The existing on and off ramps would remain in the same locations. All costs for Caltrans' proposed plan will be absorbed by Caltrans. The proposed resolution would urge Caltrans to consider the option of demolishing and rebuilding the elevated Central Freeway rather than retrofitting it.

The current double-deck Central Freeway is similar in design and construction to the Embarcadero Freeway, and the Cypress section of the Nimitz Freeway, which were significantly damaged during the October 17, 1989 earthquake. The existing Central Freeway structure is more than halfway through its useful life expectancy. Mr. Bob Jahrling of Caltrans reports that the proposed retrofitted Central Freeway would meet State structural design criteria for earthquake resistance. However, a rebuilt Central Freeway would also meet these safety criteria and may better meet the transportation needs of the City. The proposed resolution would urge Caltrans to consider the alternative of rebuilding, rather than retrofitting the Freeway.

Comments

1. Mr. Jim Regan of Caltrans reports that the cost of demolishing the upper deck and either retrofitting or rebuilding the lower deck of the Central Freeway is estimated at \$50 million. However, Mr. Regan indicates that this estimate is preliminary because plans for the area of the lower deck to be retrofitted versus rebuilt have not been finalized.

2. Mr. Regan further reports that demolition of the upper deck is scheduled to commence by May 15, 1991 and end by July 31, 1991. The retrofitting of the lower deck will commence after the demolition of the upper deck has been completed. The retrofitting of the lower deck is scheduled to be completed 12 to 14 months after the retrofitting begins or by approximately September, 1992. Mr. Regan reports that rebuilding the same structure may take an additional six months, or through March, 1993.

3. Mr. Harvey Quan of the Parking and Traffic Department reports that during the demolition phase of the Central Freeway, the demolition of the upper deck would be done in sections, so that only one street underneath the demolished section would have to be closed at a time. The Parking and Traffic Department estimates that each street would be closed for two to three days during this process. Demolition would only occur on weekends on those streets with heavy traffic. These heavy traffic streets are Grove Street, Hayes Street, McAllister Street, Fell Street and Oak Street. MUNI would have to be rerouted around Grove Street, Hayes Street and McAllister Street. Mr. Quan indicates that the demolition over Gough Street would take seven days and that traffic would be rerouted in two directions on Franklin Street. Mr. Quan also indicates that any costs associated with the Parking and Traffic Department's proposed traffic rerouting plan would be absorbed by Caltrans. During the retrofit process, no additional traffic rerouting would be necessary. However, if the same structure is rebuilt, Mr. Quan notes that each street underneath the Freeway would have to be closed an additional two to three days while the initial Freeway structure is built, but these streets could be closed on the weekends similar to the rerouting plan for the demolition phase.

4. As stated earlier, the Caltrans' proposed demolition plan would occur from mid-May, 1991 through the end of July, 1991. The John Swett Elementary School, located at 727 Golden Gate Avenue, has classes until June 14, 1991. Ms. Kay Nomura, Principal at John Swett Elementary, reports that Caltrans has agreed to demolish the section of the Central Freeway located near the school after June 14, 1991. Ms. Nomura indicates that if the demolition begins prior to June 14, 1991, Caltrans has agreed to commence demolition after 2:30 pm when classes have ended. As mentioned earlier, if the lower deck of the Central Freeway is rebuilt rather than retrofitted, the streets around the John Swett Elementary School would have to be closed for two to three days while the initial Freeway structure is built, but traffic rerouting could occur on weekends so as to minimize the disruption of traffic around the John Swett Elementary School.



5. Mr. Quan indicates that there may be an additional environmental impact upon the school, regardless of whether the lower deck is retrofitted or rebuilt, because four lanes of traffic will be moving closer in elevation to the John Swett Elementary School, rather than two lanes of traffic moving on an upper and lower deck. Caltrans reports that they are currently studying the environmental effects upon residential areas near the Freeway from their proposed retrofitting plan. However, the amount of additional pollution and noise which would result from four lanes of traffic moving on the lower deck of the Central Freeway is not known at this time. There may also be an increased likelihood of automobile accidents since two lanes of traffic would be moving in opposite directions on the proposed retrofitted Freeway.

6. Mr. Larry Florin of the Mayor's Office reports that other options include demolishing the Central Freeway entirely and rerouting traffic North of Market Street. Another option would be to rebuild an upper and lower deck in order to possibly reduce pollution and noise. Caltrans reports that they are not currently considering these options.

### Recommendation

Approval of the proposed resolution is a policy matter for the Board of Supervisors.





Item 6 - File 188-91-4

The proposed resolution would urge the Water Department, Department of Public Works, Fire Department, Recreation and Park Department and Public Health Department to expedite completion and implementation of a reclamation master plan that includes feasible uses in the Mission Bay Project area and a cost recovery rate system. The proposed resolution would also declare that it is the Board of Supervisors' policy that all feasible actions be undertaken to implement a reclamation master plan.

Description

1. In 1989 the Board of Supervisors passed resolution 389-89 entitled "Groundwater Management and Utilization" which directed DPW and the Water Department to improve wastewater reclamation and reuse in San Francisco. In December, 1989, an RFP was issued to develop a City Water Reclamation Master Plan. James Montgomery Inc. was selected to prepare the Master Plan. The development of the Master Plan began in July, 1990 and according to DPW, will be completed approximately August, 1992. The Clean Water Program is administering the development of the Water Reclamation Master Plan under the advice of the Water Department, Fire Department, Recreation and Park Department and the Department of Public Health.

2. Wastewater reclamation is the treatment and management of municipal, industrial, or agricultural wastewater to produce water of suitable quality for additional beneficial uses. The Water Reclamation Master Plan is addressing the direct reuse of wastewater such as putting the water into pipes for domestic use.

3. The Water Reclamation Master Plan will include the following:

- **Identification of Potential Reclamation Projects**--The final Master Plan will provide the City with long-term guidance for implementing reclamation projects as well as including program phasing and costs, identifying environmental studies and pilot studies which might be required.

- **Reclamation Project Alternatives Development and Screening**--Alternative reclamation projects will be screened for technical feasibility, cost effectiveness, and implementability.

- **Regulating Requirements**-- Water quality requirements for such uses as firefighting, groundwater recharge, and wetlands development will require DPH's, the Regional Water Quality Control Board and the State Department of Health Services consultation and negotiation.

- **User Needs and Concerns**-- Potential users will be surveyed to learn their needs for both quantity and quality of water.

- **Technological Factors**-- The complete reclamation project alternatives will identify the required treatment process and determine the sizing, location and distribution method.

- **Economic Analysis**--The cost effectiveness of each preliminary alternative will be evaluated and a cost-benefit ratio developed for each alternative. The estimated costs of water reclamation will be compared with the incremental costs of expanded or additional water supplies.

### Comments

1. Ms Karen Kubick of the Clean Water Program advises that the implementation of the City's final Water Reclamation Master Plan would occur sometime in 1996. According to Ms. Kubic, after the Water Reclamation Master Plan is complete, Master Plan implementation is contingent on the completion of other related projects. The following are these related projects and their expected completion dates:

- Environmental Impact Report \_\_\_\_\_ 1993
- Construction of the Oceanside Treatment Plant \_\_\_\_\_ 1994
- Construction of the Water Recharge Treatment Facility \_\_\_\_\_ 1995

As such, the final implementation of the Water Reclamation Master Plan is not expected until sometime in 1996.

2. According to Ms. Kubick, the Water Reclamation Master Plan will include consideration of feasible uses in the Mission Bay Project area. The exact nature of these considerations, however, are not known at this time.

3. In addition to examining uses of reclaimed wastewater, the Master Plan will consider the feasibility of using local groundwater.

4. The rate structure for the final implementation of the Master Plan has not yet been developed. However, Ms. Kubick advises that, because the reclaimed wastewater is of lower quality than the water from the Hetch Hetchy, the rates for reclaimed wastewater will probably be less than the rates for potable water .

### Recommendation

The proposed resolution is a policy matter for the Board of Supervisors.

Item 9 - File 114-91-3

This is a hearing to consider amending the Building Code to mandate the use of reclaimed water for soil compaction and dust control in all construction and demolition projects in the City and County of San Francisco. Reclaimed water is processed sewage water that is nonpotable.

Comments

1. Construction companies have been using reclaimed water issued through the Department of Public Work's Clean Water Program in the form of a permit since November, 1990. Ms. Karen Kubic of the Clean Water Program reports that the Clean Water Program issues permits for reclaimed water to construction companies. The construction companies are not charged a fee for the permit nor for the reclaimed water and are only required to apply for a permit once, after which the application remains on file for future reclaimed water. The construction companies receive reclaimed water at the Southeast Plant where there is a reclaimed truck loading station. Companies must have a special truck to receive the water. The cost to the construction companies is the rental or purchase of the truck. Ms. Kubic advises that many construction companies had already been using these trucks to haul water to construction sites. Therefore, the cost of the trucks does not represent an additional cost to the construction companies.

2. Previously, a construction company could have received water for construction projects from nearby fire hydrants. According to Ms. Kim Kinna of the Water Department, a meter was issued to the construction company and installed on the fire hydrant to measure the construction company's water use. The rates for such water use were the same as households, approximately .67 cents per 748 gallons. The Water Department reports that as of April 1, 1991, construction companies are not allowed to use fire hydrant water for soil compaction and dust control. As a result, all construction and demolition projects in the City must use reclaimed water. Ms. Kinna advises that this restriction on fire hydrant use for soil compaction and dust control is a temporary restriction that will most likely be lifted when the Water Department eases Citywide water use restrictions.





Item 10 - File 114-91-5

This item is a hearing to consider amending the Building Code and other relevant City Codes to require the retrofit of all multi-family residential buildings (R-1) with water saving devices (faucet aerators and toilet retrofit kits) within a three year period and to require the installation of these water-saving devices in all residential and commercial buildings at the point of sale.

According to Mr. Franz Hansell of the Water Conservation Unit of the Water Department, three recently enacted City ordinances pertaining to water conservation are as follows:

- a. Low-flow 1.6 gallon-per-minute toilets are required to be installed in all new San Francisco construction and in renovations that involve changes in the sanitary sewer lines. State law AB2355 also addresses this conservation measure.
- b. A landscaping ordinance specifies methods and irrigation techniques in new construction to conserve water. State law AB325 also addresses this conservation measure.
- c. An ordinance permitting landlords to pass-through to tenants 50 percent of the charges for exceeding water allotments under present mandatory rationing regulations, if prescribed water conservation measures are taken. These measures include retrofitting toilets, showers, and faucets with water-saving devices.

In addition, an energy conservation ordinance requires, upon point of sale of a residential home, the installation of a low-flow shower head and other conservation measures, at the expense of the seller up to a specified dollar amount.

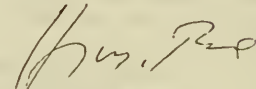
According to Mr. Hansell, every three-gallon-per-minute bathroom basin faucet retrofitted with a 1.5-gallon-per-minute aerator will result in a 50 percent savings with every use. Further, an old-fashioned tank toilet which uses five to seven gallons per flush retrofitted with conservation devices to flush with only 3.5 or 1.6 gallons-per-flush would have a considerable impact on water use. Further, Mr. Hansell states that because of the numerous variables involved, the Water Department does not have the data to provide probable savings figures for multi-family and commercial buildings.



Memo to Economic and Social Policy Committee  
April 16, 1991 Economic and Social Policy Committee Meeting

Mr. Hansell reports that various water conservation devices are available for sale to the public at the following approximate prices per device:

Showerheads	\$10
Toilet retrofit kits	6 - 20
Faucet aerators	3



Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board  
Legislative Policy Analysts  
Chief Administrative Officer  
Controller  
Sam Yockey  
Ted Lakey

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

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CALENDAR - [ACTIONS TAKEN]

RESCHEDULED  
MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, APRIL 16, 1991 - 2:00 P.M.

ROOM 228, CITY HALL

PRESENT: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

CLERK: KAY GULBENGAY

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APR 17 1991

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CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Economic and Social Policy Committee, and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or a member of the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item:
  - (a) File 15-91-3. Consideration of revocation and establishment of taxi zone, various streets. (Department of Parking and Traffic)  
Taxi Zone - Rescind  
1001 California Street, south side, from 57 feet to 78 feet west of Mason Street (21-foot zone).  
Part Time Taxi Zone during Performances - Establish  
Grove Street, south side, from Van Ness Avenue to 16 feet west (16-foot zone).  
Grove Street, south side, from 30 feet to 90 feet west of Van Ness Avenue (60-foot zone at 3 meters).
  - (b) File 18-91-5. Consideration of establishment of Stop intersections, various streets.  
Stop Signs - Establish  
Irving Street and 4th Avenue, northeast and southwest corners, stopping Irving Street traffic (makes this an all-way STOP).  
27th Street and Douglass Street, northeast and southwest corners, stopping 27th Street traffic.  
15th Street and Shotwell Street, northeast and southwest corners, stopping 15th Street traffic (makes this an all-way STOP).



- (c) File 19-91-4. Consideration of establishment and revocation of parking regulations, various streets. (Department of Parking and Traffic)

No Parking Anytime – Rescind

Jennings Street, west side, between Evans Avenue and Newhall Street.

Tow Away, No Parking, 12 A.M. to 5 A.M., Everyday – Establish

Jennings Street, west side, between Evans Avenue and Newhall Street.

- (d) File 19-91-3. Consideration of establishment and revocation of parking regulations, various streets. (Department of Parking and Traffic)

No Parking, 8 AM to 4 PM, Monday through Friday – Rescind

400 Mansell Street (Woodrow Wilson High School), north side, from Somerset Street to 20 feet east (20-foot zone).

400 Mansell Street, north side, from 16 feet to 190 feet west of Somerset Street (174-foot zone).

(To be replaced by a School Bus Zone)

Tow-Away No Parking Any Time – Establish

Genessee Street, east side, between Monterey Boulevard and Joost Avenue.

- (e) File 20-91-5. Consideration of establishment of traffic regulations, various streets. (Department of Parking and Traffic)

Tow-Away No Stopping Any Time – Establish

San Jose Avenue, east side, from Brooks Street to 50 feet north (50-foot zone).

San Jose Avenue, east side, from Milton Street to Randall Street (2,500-foot zone).

San Jose Avenue, west side, from Randall Street to 2,400 feet south (2,400-foot zone).

Tow-Away No Stopping, 7 AM to 6 PM, Weekdays – Establish

3rd Street, east side, from Folsom Street to 100 feet south (100-foot zone).

Right Turn Only – Establish

Hampshire Street, northbound, at Army Street.

No Left or U Turn – Establish

Bayshore Boulevard, southbound, at Blanken Avenue/Arleta Avenue.

ACTION: Consent calendar recommended.



- (a) File 15-91-3. Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of committee.  
Entitled: "Establishing and rescinding taxicab stands, various locations." Recommended.
- (b) File 18-91-5. Department of Parking and Traffic recommendations recommended. Resolution prepared and reported out of committee.  
Entitled: "Designating "Stop" intersection, various streets." Recommended.
- (c) File 19-91-4. Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of committee.  
Entitled: "Enacting and rescinding parking regulations, various streets." Recommended.
- (d) File 19-91-3. Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of committee.  
Entitled: "Enacting and rescinding parking regulations, various streets." Recommended.
- (e) File 20-91-5. Department of Parking and Traffic recommendations recommended. Resolution prepared in and reported out of committee.  
Entitled: "Establishing traffic regulations, various streets." Recommended.

### REGULAR CALENDAR

- 2. File 107-90-2. Hearing to consider the Department of Social Services' Fraud Early Detection Program. (Supervisor Kennedy)  
(Continued from 9/27/90)  
  
ACTION: Continued to second meeting in May 1991. (Date to be determined.)
- 3. File 196-90-7. Hearing to consider the timing of the "walk" signal at Nineteenth and Holloway Avenues. (Supervisor Walker)  
(Continued from 12/13/90)  
  
ACTION: Filed.





4. File 171-91-3. [Replacing Central Freeway] Resolution urging the California Department of Transportation to consider the demolition and replacement of the elevated portion of the Central Freeway rather than retrofit the freeway. (Supervisor Maher)

ACTION: Hearing held. Amended on page 1 line 4 after "freeway" by adding "urging the preparation of an Environmental Impact Report" and on page 2 line 7 by adding "FURTHER RESOLVED, That the City and County of San Francisco further urges Caltrans to prepare an Environmental Impact Report, prior to beginning any work on the Central Freeway, that would also evaluate the environmental impacts of all other possible approaches to repairing and/or replacing the Central Freeway."

New Title: "Urging the California Department of Transportation to consider the demolition and replacement of the elevated portion of the Central Freeway rather than retrofit the freeway; urging the preparation of an Environmental Impact Report."

Recommended as amended. (Supervisor Alioto added as a co-sponsor.)

5. File 186-91-1. [San Francisco 2000] Resolution supporting the San Francisco 2000 Committee. (Supervisor Ward)

ACTION: Tabled at the request of author.

6. File 188-91-4. [Water Reclamation] Resolution urging the Water Department, Public Works Department, Fire Department, Recreation and Park Department and Public Health Department to expedite completion and implementation of a reclamation master plan that includes feasible uses in the Mission Bay Project Area and a cost recovery fee system; declaring that it is the Board's Policy that all feasible actions be undertaken to implement a reclamation master plan. (Supervisor Maher)

ACTION: Hearing held. Amended on page 1 line 6 by after "area" by adding "and all other appropriate projects" and on page 2 line 25 after "Project Area and " by adding "all other appropriate projects."

New Title: "Urging the Water Department, Public Works Department, Fire Department, Recreation and Park Department and Public Health to expedite completion and implementation of a reclamation master plan that includes feasible uses in the Mission Bay Area and all other appropriate projects and a cost recovery fee system; declaring that it is the Board's policy that all feasible actions be undertaken to implement a reclamation master plan."

Continued to May 14, 1991 meeting.



7. File 214-91-1. [Las Vueltas, Sister City] Resolution urging the Mayor to establish sister city between San Francisco, California and Las Vueltas, El Salvador. (Supervisors Gonzalez, Ward, Shelley)

ACTION: Continued to April 30, 1991 meeting at the request of author.

8. File 42-91-11. Hearing to consider authorizing temporary closing of a portion of Third Street, between Revere and Palou Avenues, on Saturday, April 27, 1991, for the purpose of recognizing "Earth Day". (Supervisor Ward)

ACTION: Hearing held. Resolution prepared in and reported out of committee.

Entitled: "Authorizing temporary closing of a portion of Third Street; and providing for insurance."

Recommended. (Supervisor Alioto added as co-sponsor.)

9. File 114-91-3. Hearing to consider amending the Building Code to mandate the use of reclaimed water for soil compaction and dust control in all construction and demolition projects in the City and County of San Francisco. (Supervisor Migden)

ACTION: Hearing held. Ordinance prepared in and reported out of committee (as presented by Supervisor Migden).

Entitled: "Amending Part II, Chapter X of the San Francisco Municipal Code (Public Works Code) by adding Article 21, Sections 1100 - 1107 restricting the use of potable water for soil compaction or dust control activities and providing penalties and remedies for failure to comply with the provisions of Article 21; adopting findings regarding the effects of drought and the necessity to restrict the use of potable water for soil compaction and dust control activities."

Recommended to Board on Monday, April 29, 1991.

10. File 114-91-5. Hearing to consider amending the Building Code and other relevant Codes to require the retrofit of all multi-family residential buildings (R-1) with water-saving devices (faucet aerators and toilet retrofit kits) within a three year period; and to amend the Building Code to require the installation of these water-saving devices in all residential and commercial buildings at the point of sale. (Supervisor Migden)

ACTION: Hearing held. Ordinance prepared in and reported out of committee (as presented by Supervisor Migden).

Entitled: "Amending Part II, Chapter 12 of the San Francisco Municipal Code (Housing Code) by adding Chapter 12A thereto to establish water conservation measures for existing residential buildings upon title transfer, major improvement, metering conversion, residential condominium conversion, or complete inspection and requiring compliance of certain multiple-family residential buildings within three years."

Recommended to Board on Monday, April 29, 1991.



11. File 18-91-3. Hearing to consider installation of a Stop sign at the intersection of Hawes street and Hollister Avenue. (Supervisor Ward)

ACTION: Filed.

12. File 197-91-1. Hearing to consider requesting the San Francisco 49ers to restore our traditional SF logo to their helmets. (Supervisor Hallinan)

ACTION: Filed.





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CITY AND COUNTY



OF SAN FRANCISCO

## BOARD OF SUPERVISORS

BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

April 25, 1991

DOCUMENTS DEPT.

TO: Economic and Social Policy Committee

FROM: Budget Analyst - Recommendations

SUBJECT: April 30, 1991 Economic and Social Policy Committee Meeting

### Item 3 - File 12-91-15

This item is a hearing to consider endorsing pending State legislation (SB 210), which would authorize increases in tolls on the Bay Bridge, the San Mateo Bridge, and the Dumbarton Bridge. The revenues from the proposed toll increases would be allocated to the various regional transit agencies noted below.

The proposed legislation would authorize the Metropolitan Transportation Commission (MTC) to impose, after public hearing, a toll surcharge of not more than \$1.00 above existing tolls on the Bay Bridge, the San Mateo Bridge, and the Dumbarton Bridge. The proposed legislation states that the intended purposes are to reduce automobile traffic on the bridges and increase public transit ridership. Revenues from the legislation would be allocated for various capital improvement projects and other projects designed to reduce traffic on the three bridges, and for capital improvement projects of the Alameda-Contra Costa Transit District (AC Transit), MTC, BART, the San Francisco Municipal Railway (MUNI), and other transit agencies providing access to BART.

The proposed legislation also specifies that part of the funding to be received by BART would offset existing funding that BART presently receives from the half cent sales tax imposed in the counties which BART serves. This existing funding would be reallocated to AC Transit, MTC, and MUNI for their operations.

### Comments:

1. Presently, the Bay Bridge, the San Mateo Bridge, and the Dumbarton Bridge each charge a toll of \$1.00.

2. According to estimates provided by the Metropolitan Transportation Commission, if the State approves SB 210, and assuming a bridge toll increase of \$1.00, the net increase in toll revenues is expected to be approximately \$58.9 million for Fiscal Year 1991-92. Of the total revenue estimate of \$58.9 million, \$10.1 million would be allocated to fund a series of bridge access projects, and \$1.8 million would be allocated to ferries and other projects designed to reduce traffic congestion on the bridges. The remaining \$47 million would be allocated to the various transit districts, including San Francisco Municipal Railway (MUNI).

3. Ms. Brigid Hynes-Cherin of the San Francisco County Transportation Authority advises that, based on the proposed legislation, MUNI would receive 17.7 percent of the projected revenues from any increased bridge tolls and 24.4 percent of the half cent sales tax revenues reallocated from BART. If the proposed legislation is approved and assuming a bridge toll increase of \$1.00, MUNI would receive approximately \$8.3 million in additional revenues for capital purposes and an additional \$4.8 million for general operations purposes, for a total of \$13.1 million. However, BART would eliminate approximately \$1.5 million in revenue transfers made each year to MUNI. Therefore, the net annual revenue increase to MUNI for 1992, if SB 210 is approved, is \$11.6 million. MTC projects that the net annual revenues allocated to MUNI would increase gradually each year after Fiscal Year 1991-92.

4. Ms. Hynes-Cherin further advises that the revenue estimates noted in Comment No. 2 above include revenues accrued from a proposal, not included in the proposed legislation, to eliminate the commuter discount program operated by the Bay Bridge, San Mateo Bridge and the Dumbarton Bridge. Elimination of the commuter discounts would account for approximately \$10 million, which would be included in the \$58.9 million in estimated net revenues, if SB 210 is approved.

Item 8 - File 109-91-1

The proposed ordinance would amend the San Francisco Administrative Code by amending Section 37.9 to clarify that the definition of actual damages for wrongful recovery or attempted wrongful recovery of a rental unit includes damages for mental and emotional distress. According to the proposed ordinance, this definition is the one that the Board of Supervisors had intended in enacting Section 37.9(e) in 1982.

The proposed amendment would allow a tenant to sue a landlord for injunctive relief and money for three times the actual damages, including damages for mental and emotional distress, when the tenant has been wrongfully evicted. The proposed amendment further stipulates that an award for damages for mental and emotional distress can be tripled only if it is found that the landlord acted in knowing violation of Sections 37.9 or 37.10 of the City's Administrative Code. To answer any questions regarding the Board of Supervisors intent in enacting Section 37.9(e) in 1982, the proposed ordinance states that it was the Board's intent to include damages for mental and emotional distress in the definition of actual damages for wrongful eviction.

Comments

1. According to Mr. Joe Grubb of the Rent Board, the proposed amendment to the City's Administrative Code is now being proposed because of a case heard in October, 1990, where a Judge did not award damages for mental and emotional distress to a wrongfully evicted tenant. The reason for the Judge's decision (known as the Balmoral Decision) was because San Francisco's Administrative Code does not specifically include provisions for mental and emotional distress.

2. Mr. Grubb advises that the proposed amendment to the Administrative Code would not increase the Rent Board's workload. Legal suits involving tenants and landlords are settled in the courts and do not involve the Rent Board.

3. In addition, Mr. Grubb advises that the proposed amendment to the City's Administrative Code should not have a significant impact on the court system because it would be difficult to prove that a landlord knowingly violated Administrative Code Sections 37.9 or 37.10.

Recommendation

Approval of the proposed ordinance is a policy matter for the Board of Supervisors.



Memo to Economic and Social Policy Committee  
April 30, 1991 Economic and Social Policy Committee Meeting

Item 9 - File 97-90-51

**Note:** This item was continued at the March 26, 1991, Economic and Social Policy Committee meeting.

**Item:** Ordinance to amend the Administrative Code by amending Sections 12D.5, 12D.6, 12D.8, 12D.13 and 12D.15 thereof, relating to the procurement of goods and services and the award of public contracts by the City to MBE/WBE/LBE firms.

**Description:** Chapter 12D of the San Francisco Administrative Code, known as the MBE/WBE/LBE Ordinance -- II ("the Ordinance") concerns the award of prime contracts for construction, certain goods, supplies, materials, equipment, and general and professional services. The Ordinance extends benefits only to San Francisco-based businesses. Economically disadvantaged MBE/WBE businesses, as defined in the Ordinance, which are located and doing business in San Francisco, receive a bid preference of 10%. Local businesses other than MBE/WBE firms receive a 5% bid preference when competing for City contracts. Joint ventures composed of MBE and/or WBE firms and majority firms are eligible to receive bid preferences under certain conditions.

The proposed amendments are discussed below.

Section 12D.5. Definitions.

1. Section 12D.5, page 2, lines 12 - 13: This proposed amendment would clarify that gifts of materials, equipment, supplies or services to the City are excepted from the definition of a "contract".
2. Section 12D.5, page 3, lines 26 - 27: This proposed amendment would clarify that the definition of "good faith efforts" refers to actions undertaken by a City department to obtain MBE or WBE participation in a contract as prime contractors.
3. Section 12D.5, page 5, line 13: This proposed amendment would add Asian Indians to the ethnic category of Asians.

Section 12D.6. Powers and Duties of the Human Rights Commission and the Director, HRC.

1. Section 12D.6, page 8, lines 22 - 23: This proposed amendment would clarify that in order to qualify as a local business, the business must be listed in an appropriate business buyers guide such as a telephone yellow pages listing of San Francisco-based businesses.



2. Section 12D.6, page 8, lines 25 - 26: This proposed amendment would clarify that the requirement that businesses must conspicuously display a business sign at the San Francisco business premises in order to qualify as a locally-based business be excepted where the business operates out of a residence.
3. Section 12D.6, page 8, lines 29 - 30 to page 9, lines 1 - 10: This proposed amendment would clarify that a business denied certification as an MBE/WBE/LBE firm because it has not been established in San Francisco for the requisite six months could reapply for such certification without having to wait another six months.

Section 12D.8. Powers and Duties of the Mayor, Departments or Contract Awarding Authorities.

1. Section 12D.8, page 11, lines 28 - 30 to page 12, lines 1-3: This proposed amendment would clarify that a five percent bid preference shall be granted to a joint venture between a non-local business and a local MBE or local WBE with such local MBE or WBE participation equal to or exceeding 35 percent but less than 51 percent. Additionally, a joint venture composed of only local businesses but with no local MBE or WBE participation, or where such MBE or WBE participation is less than 35 percent, would also be granted a five percent bid preference.
2. Section 12D.8, page 12, lines 8 - 11: This proposed amendment would clarify that a joint venture shall receive a bid preference when the MBE or WBE is an active partner in the joint venture and performs work, manages the job and takes financial risks in proportion with the required level of participation stated in the bid documents.

Section 12D.13. Exceptions and Waivers.

1. Section 12D.13, page 16, line 1: This proposed amendment would require waiver of MBE/WBE bid preferences and good faith efforts whenever the Director, HRC, finds that needed goods or services are available only from a sole source, regardless of the MBE or WBE certification status of that sole source. Currently, a waiver is not necessary if the sole source firm is also an MBE or a WBE firm.

Section 12D.15. Reporting and Review.

1. Section 12D.15, page 17, line 6: This amendment clarifies that the Director, HRC, shall report to the HRC on all waivers acted upon, rather than report just on those waivers granted.

Memo to Economic and Social Policy Committee  
April 30, 1991 Economic and Social Policy Committee Meeting

- Comment:** The proposed legislation would amend five sections of the Ordinance, including the addition of Asian-Indians in the "Asian" MBE category. The remaining proposed amendments are essentially technical changes intended to clarify the intent of the Ordinance.
- Recommendation:** Approval of the proposed amendments to the MBE/WBE/LBE Ordinance II is a policy matter for the Board of Supervisors.



Memo to Economic and Social Policy Committee  
April 30, 1991 Economic and Social Policy Committee Meeting

Item 10 - File 284-90-1

**Note:** This item was continued at the March 26, 1991 meeting of the Economic and Social Policy Committee.

1. This item is a hearing to consider the City and County of San Francisco Minority/Women/Local Business Utilization Ordinance (MBE/WBE/LBE Ordinance II) Fiscal Year 1989-1990 Progress Report for the period July 1, 1989 through June 30, 1990, prepared by the Human Rights Commission (HRC). Section 12.D15 of the Ordinance requires that the HRC submit by March 1st of each fiscal year subject to the Ordinance an annual report to the Mayor, the Board of Supervisors, and the Chief Administrative Officer on the progress of the City toward the goals stated in Section 12D.3 of the Ordinance. Also to be included in the annual report are the identification of problems and specific recommendations for: (1) discontinuing the race- or gender-conscious bid preferences in those cases where the bid preferences have remedied the identified discrimination against MBEs and WBEs; and (2) improving the City's performance in remedying the identified discrimination against MBEs and WBEs.

2. The MBE/WBE/LBE Ordinance II, which became effective July 1, 1989, provides a five percent bid preference for local businesses and provides for a ten percent bid preference for local economically disadvantaged MBE/WBEs in industries where the disparity between contract dollars awarded to MBE/WBEs and the available number of MBE/WBEs is determined to be statistically significant and not attributable to chance. The Ordinance further provides for City-wide goals for MBEs (by ethnic group) and WBEs for each industry in which a bid preference is specified.

3. The Ordinance will expire on June 30, 1992, unless the HRC, after conducting public hearings, finds that the purposes of the Ordinance have not been achieved. Based on such a finding, the Board of Supervisors may extend the Ordinance for an additional three-year period.

Scope of the Report

The Report compares MBE/WBE participation by industry during FY 1989-90 with FY 1987-88. The FY 1989-90 data in the Report was generated by the HRC's new computerized reporting system. According to the Report, FY 1987-88 was chosen as the year of comparison because the data available for that year are directly comparable with the current Ordinance. In addition, the FY 1987-88 data were used to establish the goals of the current Ordinance.

The Report provides an analysis of City contracting and MBE/WBE participation in City contracts and includes discussions of 1) the certification process and the impact of the narrowing of the definition of qualified MBE/WBEs to include only San Francisco-based firms; 2) the procedures for waivers; 3) outreach and technical assistance; 4) departmental good faith efforts; 5) the

implementation of the HRC automated reporting system and 6) recommendations for amendments to the MBE/WBE/LBE Ordinance II.

### Citywide Statistics

The following chart summarizes the findings of the Progress Report regarding MBE and WBE participation levels by industry. The Report includes a comparison of City-wide MBE/WBE participation during FY 1989-90 with FY 1987-88. During 1987-88, the MBE/WBE Ordinance established City-wide goals of 30% MBE and 10% WBE. In 1989-90, the goals vary by ethnic/gender group and by industry, as shown below. Data which were not available are labelled "N/A", and percentages which were not significant or less than 0.1 percent are labelled "n/s."

	<u>MBE Goal</u>	<u>Certified<sup>1</sup> MBEs</u>	<u>All MBEs</u>	<u>WBE Goal</u>	<u>Certified WBEs</u>	<u>All WBEs</u>	<u>Citywide Contracts</u>
Construction/ Facilities Maintenance							
1987-88	30%	\$7,761,806 11.1%	\$18,834,674 22%	10%	\$851,315 1.2%	N/A	\$84,896,132
1989-90	49.5%	\$2,959,586 <sup>a</sup> 1.2%	\$21,572,027 4.3%	7%	\$8,636 n/s	\$42,290 n/s	\$499,816,601
Legal Services							
1987-88	30%	\$0 -	\$0 -	10%	\$0 -	\$0 -	\$2,659,516
1989-90	N/A	\$128,000 7.1%	\$131,000 6.5%	N/A	\$0 -	\$68,000 3.4%	\$2,002,337
Architectural and Engineering							
1987-88	30%	\$2,359,188 27.1%	\$4,074,254 20%	10%	\$54,700 0.6%	\$1,598,296 10%	\$19,464,670
1989-90	10.2%	\$49,610 0.3%	\$1,320,607 6.0%	16.8%	\$421,452 2.7%	\$421,452 1.8%	\$23,142,223
Computer Systems							
1987-88	30%	\$216,390 9.3%	\$216,390 9%	10%	\$0 -	\$0 -	\$2,332,308
1989-90	40%	\$208,476 8.9%	\$280,476 5.9%	20%	\$66,000 2.8%	\$66,000 1.4%	\$4,731,034

<sup>1</sup>Certified MBEs/WBEs are economically disadvantaged local firms that have been certified as such by the HRC. Registered MBEs/WBEs are firms that are owned by minorities or women but do not qualify to be certified under the Ordinance.

<sup>a</sup> The Report contains a typographical error and actually shows \$2,959,58\_ and 71.2 %.



**Memo to Economic and Social Policy Committee**  
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	<u>MBE Goal</u>	<u>Certified MBEs</u>	<u>All MBEs</u>	<u>WBE Goal</u>	<u>Certified WBEs</u>	<u>All WBEs</u>	<u>Citywide Contracts</u>
<b>Finance and Insurance Services</b>							
1987-88	30%	\$0 —	\$0 —	10%	\$0 —	\$0 —	\$71,200
1989-90	N/A	\$0 —	\$250,475 1.6%	N/A	\$0 —	\$0 —	\$16,059,535
<b>Auditing and Accounting</b>							
1987-88	30%	\$268,500 84.4%	\$268,500 84%	10%	\$0 —	\$0 —	\$318,300
1989-90	N/A	\$0 —	\$129,500 6.8%	N/A	\$0 —	\$0 —	\$1,893,124
<b>Management Consulting</b>							
1987-88	30%	\$152,200 1.6%	\$152,200 1.0%	10%	\$110,656 1.1%	\$110,656 1.0%	\$9,744,840
1989-90	43.6%	\$31,252 3.5%	\$177,500 10.9%	61.8%	\$46,146 5.2%	\$62,396 3.8%	\$1,635,035
<b>Medical Services</b>							
1987-88	30%	\$1,527,164 82.5%	\$1,527,164 82.0%	10%	\$88,686 4.8%	\$88,686 4%	\$1,850,839
1989-90	N/A	\$0 n/s	\$958,201 1.7%	41.2%	\$26,400 0.1%	\$257,473 0.4%	\$55,637,670
<b>Misc. Professional Services</b>							
1987-88	30%	\$131,760 1.5%	\$131,760 1.5%	10%	\$342,395 4.0%	\$342,395 3.0%	\$8,661,551
1989-90	N/A	\$0 n/s	\$285,879 1.2%	N/A	\$0 n/s	\$314,802 1.3%	\$24,543,487
<b>Equipment and Supplies</b>							
1987-88	30%	\$3,051,831 16.8%	\$8,498,427 11.0%	10%	\$1,934,711 10.6%	\$2,389,918 3.0%	\$74,195,976
1989-90	46.8%	\$4,462,758 13.3%	\$5,471,285 4.8%	15.5%	\$2,533,183 7.6%	\$4,321,143 3.8%	\$113,333,497
<b>General Services</b>							
1987-88	30%	\$831,416 3.0%	\$973,925 1.1%	10%	\$193,079 0.7%	\$117,075 0.1%	\$91,265,552
1989-90	48.9%	\$766,657 0.9%	\$1,425,384 1.2%	26.3%	\$331,705 0.4%	\$468,660 0.4%	\$116,421,875



### Departmental Statistics

The Report contains a section on the performance of individual departments for FY 1989-90. For each department the Report shows the percentage and dollar amount of contracts awarded to certified MBEs and WBEs, registered MBEs/WBEs and combined certified and registered MBEs and WBEs. The Report also shows the percentage and dollar amount of all departmental contracts awarded to non-MBEs and non-WBEs and the amount of total awards. LBE participation is also shown. In summary, Citywide contracting was as follows:

	<u>MBE/WBE</u>			<u>Citywide</u>
	<u>Certified</u>	<u>Registered</u>	<u>Combined</u>	
MBE	\$8,606,338 1.0%	\$26,903,002 3.1%	\$35,509,340 4.1%	
WBE	3,433,522 0.4%	2,596,095 0.3%	6,029,616 0.7%	
Non MBE/WBE				\$826,224,496 95.4% <sup>a</sup>
Total				\$865,695,591 <sup>b</sup> 100.0%
LBE				\$269,121,712 31.1%

### Recommendations of the Report

The Report notes that the City Attorney has forwarded legislation to the Board of Supervisors which amends five sections of the Ordinance and that the City Attorney has characterized these changes as "cleanup" changes that are intended to clarify the original intent of the Ordinance. Those changes are the subject of File No. 97-90-51, on the March 26, 1991 Economic and Social Policy Committee Calendar, Item 8.

The FY 1989-90 Progress Report contains 11 HRC recommendations "to improve the enforcement of the Ordinance and to better achieve its purposes." The summary topics of the 11 recommendations with a brief explanation for each follows:

1. Review of large Requests For Proposal (RFP) for the possibility of breaking the project into smaller units: Departments should be

<sup>a</sup> According to the Budget Analyst's calculations, the percentage should be 95.2%.

<sup>b</sup> According to the Budget Analyst's calculations, the total should be \$867,763,452.

required to submit all large proposals to the HRC for review prior to releasing an RFP for the HRC to determine whether the proposal can be reasonably broken into smaller projects.

2. **Reevaluate which professions/trades should receive a bidding preference:** The HRC should be provided with resources to develop staff capabilities to perform statistical analyses for the purpose of determining whether the basis for granting preferences for racial/ethnic groups in specific professions/trades should be changed.
3. **Professional Services Contracts:** The definition of "professional services" should be changed to include all professional services, not just the five professional service areas for which the Board of Supervisors has set City-wide goals, while limiting the bid preference and MBE/WBE goals to specific consulting areas.
4. **Redefine the joint venture participation requirements to prevent MBEs and WBEs from acting as "Fronts" for majority-owned firms:** Some MBE/WBE firms have performed more like a subcontractor than a partner in a joint venture. An MBE/WBE firm participating as a joint venture should demonstrate the capability of performing the required tasks, exercising day-to-day management control, assuming financial risk in proportion with its level of participation, and using its own employees and equipment.
5. **Additional incentives for majority-owned businesses to joint venture with MBEs and WBEs:** MBE/WBE firms are obtaining only a very small share of City contracts through joint ventures with majority-owned firms, while a number of large-sized LBEs take advantage of the five percent LBE bid preference by joint venturing with each other. The HRC recommends the addition of a 7.5 percent preference to a joint venture between a non-LBE and a certified MBE or WBE with a certain participation rate and a joint venture between an LBE and a certified MBE or WBE with a certain participation rate. The exact participation rates may differ from industry to industry.
6. **Require departments to implement nondiscriminatory selection processes:** Departments can circumvent the intent of the Ordinance by removing MBEs and WBEs from the selection process before they have had an opportunity to bid on proposed projects. For example, in the areas of professional services and architecture/engineering, contractors bid in a two-step evaluation process. Since the bid preferences apply only at the bidding stage, a number of departments have excluded qualified MBE/WBE firms by eliminating them in the first stage, "short listing," process. The HRC should be given the power to stop and/or intervene in the selection process whenever issues concerning good faith efforts are discovered.

7. Definite waiver procedures should be established: Neither the Ordinance nor the MBE/WBE/LBE Regulations specify what procedures a department must satisfy before submitting an application for a waiver. The HRC should develop a list of steps that a department must take before it can seek a waiver. Additionally, the HRC will implement new procedures to enhance oversight of emergency contract processing.
8. Certification denial: Currently, the Ordinance requires that a business denied certification only because it applied too early and has not been established in the City for the requisite six months, wait an additional six months after the date of denial before reapplying for certification. The HRC recommends that the process be changed to not require denial of the certification request, but allow an extension of the certification application period until the business has met the six month requirement.
9. Revocation of certification: The Ordinance currently provides that a firm having had its certification revoked by the HRC Director may reapply for certification six months after the revocation. The HRC recommendation is to extend the waiting period to two years.
10. Ownership issues:
  - a. The Ordinance defines "owned" as possessing an ownership interest of **over** 50 percent. However, the nationwide standard set by the federal government for ownership of an MBE/WBE, which is adhered to by all other Bay Area jurisdictions, is 51 percent. Cooperation between jurisdictions in honoring other certifications would be facilitated, were the City to use the standard MBE/WBE ownership definition.
  - b. The Ordinance specifies that MBE/WBE ownership will not be considered subject to the community interest of a spouse if both spouses have bona fide management and control of the business. It is presently unclear whether the management and control can be 50%/50% like the ownership, or whether the minority or female spouse is required to be the boss in order for the firm to qualify as a bona fide MBE/WBE. The HRC recommends that the management and control requirement also be 50%/50% but that the Ordinance make explicit that both spouses must be qualified to carry out the services that the business provides, e.g., both spouses must be architects in an architectural firm.
11. Departmental good faith efforts: The Ordinance is not clear on whether the good faith outreach efforts required of departments extends to "registered" firms. The HRC recommends that an administrative directive should be issued from its office explaining that departments are to extend good faith effort to "registered" firms.

### Comments

1. Section 12D.15 of the Ordinance states that "The Board of Supervisors shall act upon the Commission's recommendations by the third Board meeting of May in each fiscal year subject to this ordinance."

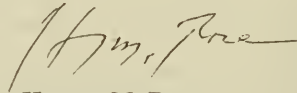
2. The Mayor issued an Executive Directive concerning the MBE/WBE Program on October 12, 1990. The purpose of that Executive Directive was to "clarify and emphasize the importance and priority of utilizing economically disadvantaged minority and woman-owned enterprises (MBEs and WBEs) and local business enterprises (LBEs) in City contracting." Salient portions of the Executive Directive are as follows:

- a. The Report on MBE/WBE utilization by the Human Rights Commission shows that, taken as a whole, City departments have not provided equal opportunities to economically disadvantaged minority and women-owned enterprises;
- b. Effective immediately, all City departments, agencies, boards, and commissions must revise their contracting policies to ensure meaningful utilization of economically disadvantaged MBEs, WBEs and LBEs or document good faith efforts to utilize those firms;
- c. Each City department is to prepare a plan, to be submitted to the Mayor's Office within 30 days, detailing efforts to improve performance for the next year;
- d. Failure to utilize MBEs, WBEs, and LBEs on City contracts or to make good faith efforts to utilize such firms will result in the review of departmental budgets to tie spending authority to specific achievement goals;
- e. A listing of specific good faith efforts City departments can make to utilize MBEs, WBE, and LBEs;
- f. A statement urging City departments to voluntarily work with prospective bidders of City contracts to maximize MBE/WBE/LBE participation in subcontracting;
- g. Departments, in the deposit of City funds and in the award of leases, franchises, concessions, and contracts not subject to bid preferences in the current MBE/WBE/LBE ordinance, are urged to make every good effort to use the services of MBEs, WBEs, and LBEs;



Memo to Economic and Social Policy Committee  
April 30, 1991 Economic and Social Policy Committee Meeting

- h. The performance of each department will be evaluated as part of the overall budget process. Poor performance, as well as exemplary performance, under the MBE/WBE/LBE Ordinance will be an important factor in determining all budget requests for each fiscal year;
- i. A listing of specific groups within specific industries, with MBE/WBE goals for each.



Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board  
Legislative Policy Analysts  
Chief Administrative Officer  
Controller  
Sam Yockey  
Ted Lakey

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CALENDAR - ACTIONS TAKEN

RESCHEDULED MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, APRIL 30, 1991 - 2:00 P.M. ROOM 228, CITY HALL

PRESENT: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

ABSENT: SUPERVISOR ALIOTO - ITEMS 9 - 11

CLERK: KAY GULBENGAY

1. File 19-90-17. [Parking Regulation] Resolution requesting the Traffic Engineering Division of the Department of Parking and Traffic to survey the parking conditions on Little Junipero Serra and the immediate frontage area and report to the Board of Supervisors its findings and recommendation on establishing four-hour parking on Little Junipero Serra Boulevard. (Supervisor Maher)  
(Continued from 2/12/91)

ACTION: Hearing held. Tabled.

File 19-90-17.1. Resolution prepared in and reported out of committee.

Entitled: "Enacting parking regulations on Little Junipero Serra Boulevard." Recommended.

2. File 214-91-1. [Sister City] Resolution urging the Mayor to establish Sister City between San Francisco, California and Las Vultas, El Salvador. (Supervisors Gonzalez, Ward, Shelley)  
(Continued from 4/16/91)

ACTION: Continued to May 14, 1991 meeting at the request of author.

3. File 12-91-15. Hearing to consider endorsing legislation which would increase tolls on the Bay Bridge and allocating revenues to regional transit agencies. (Supervisor Britt)

ACTION: Hearing held. Resolution prepared in and reported out of committee.

Entitled: "Supporting SB 210 which would increase tolls on the Bay Bridge, San Mateo, Dumbarton Bridges and would allocate funds to regional transit agencies and urging that these funds be used to support transit projects rather than those of highway projects." Recommended.





4. File 194-91-1. [Newspaper Carriers] Resolution urging the San Francisco Newspaper Association to continue its youth carrier employment program. (Supervisor Migden)

ACTION: Hearing held. Amended on page 1 line 3 by replacing "association" with "agency" and on line 19 by adding "WHEREAS, Youth newspaper carriers are required to pay for the rubberbands and plastic bags which are necessary for delivery of newspapers out their own funds" and on line 20 by replacing "association" with "agency" and on line 25 by replacing "association" with "agency" and on line 25 by after "agency" by adding "and to the Board of Directors of the San Francisco Newspaper Agency" and on line 23 by adding "FURTHER RESOLVED, That the City and County of San Francisco urges the San Francisco Newspaper Agency to pay for the costs of rubberbands and plastic bags for the youth newspaper carriers."

Entitled: "Urging the San Francisco Newspaper Agency to continue its youth carrier employment program."

Recommended as amended.

(Supervisors Shelley, Maher and Alioto added as co-sponsors.)

5. File 36-91-1. [Zoning Changes] Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 2900 Fulton Street and 2908-14 Fulton Streets, Lots 17 and 19, Assessor's Block 1648 from an RM-3 (Mixed Residential-Medium Density) District to an NC-1 (Neighborhood Commercial Cluster) District. (Department of City Planning)

(Approved by City Planning Commission Resolution No. 13024.)  
(General Rule Exclusion from Environmental Review.)

ACTION: Hearing held. Amendment of the whole (as presented in committee) adopted.

Entitled: "Adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 2900 Fulton Street and 2908-14 Fulton Streets, Lots 17 and 19, Assessor's Block 1648 from an RM-3 (Mixed Residential-Medium Density) District to an NC-1 (Neighborhood Commercial Cluster) District and adopting findings pursuant to Section 101.1."

Recommended.

6. File 115-91-3. [Designating the Buena Vista North Historic District] Ordinance amending Article 10 of the City Planning Code, Part II Chapter II of the Municipal Code by adding Appendix J designating the Buena Vista North Historic District. (Department of City Planning)  
(Continued from 3/26/91)

(Approved by City Planning Commission Resolution No. 13002.)

ACTION: Hearing held. Continued to the July 23, 1991 meeting.  
(Supervisor Migden dissented.)



7. File 126-90-1. [Condominium Conversions] Ordinance amending Part II, Chapter XIII of the San Francisco Municipal Code (Subdivision Code) by amending Section 1396 thereof to create the Tenant Home Ownership Opportunity Program of 1990, adding Section 1396B thereto to exempt from the conversion limitations of Section 1396 for the period from the effective date of this ordinance through December 1992 the conversion of 1000 units in apartment complexes of 25 to 200 units where two-thirds of the tenants agree to the conversion, making findings with respect to the exemption, and amending Chapter 37 of the San Francisco Administrative Code by amending Section 37.9 thereof to provide that a landlord may not evict tenants from units converted to condominiums under Subdivision Code Section 1396B on the ground that the landlord or a relative desires to occupy the unit. (Supervisors Kennedy, Hsieh, Gonzalez, Maher)

(Categorically exempt from environmental review.)

ACTION: Hearing held. To Board without recommendation on Monday, June 3, 1991.  
(Supervisor Alioto excused due to conflict of interest.)

8. File 109-91-1. [Rent Ordinance] Ordinance amending Administrative Code by amending Section 37.9 to clarify that the definition of actual damages for wrongful recovery or attempted wrongful recovery of a rental unit includes damages for mental and emotional distress and that this definition is the one that the Board of Supervisors had intended in enacting Section 37.9(e) of this chapter in 1982. (Supervisor Achtenberg)

ACTION: Hearing held. Recommended. (Supervisor Migden added as co-sponsor.)

SPECIAL - 5:00 P.M.

9. File 97-90-51. [MBE/WBE/LBE - Prime Contracts] Ordinance amending the Administrative Code by amending Sections 12D.5, 12D.6, 12D.8, 12D.13 and 12D.15 thereof, relating to the procurement of goods and services and the award of public contracts by the City and County of San Francisco from minority business enterprises, women business enterprises and local businesses. (Supervisor Kennedy)  
(Continued from 3/26/91)

ACTION: Hearing held. Amendment of the whole (as presented in committee) adopted and further amended see file for details.

Entitled: "Amending the San Francisco Administrative Code by amending Sections 12D.5, 12D.6, 12D.8, 12D.11, 12D.13, 12D.15, 12D.16, 12D.17, 12D.18 thereof and adding Section 12D.19 thereto, relating to the procurement of goods and services and the award of public contracts by the City and County of San Francisco from minority business enterprises, women business enterprises, and local businesses."

Recommended as amended to Board on Monday, May 13, 1991.  
(Supervisor Migden added as co-sponsor.)



10. File 284-90-1. Hearing to consider the Human Rights Commission's Minority Business Enterprise/Women Business Enterprise/Local Business Enterprise Ordinance II Report with Recommendations. (Supervisor Kennedy)  
(Continued from 3/26/91)

ACTION: Hearing held. Resolution prepared in and reported out of committee.

Entitled: "Accepting the Human Rights Commission's Minority Business Enterprise/Women Business Enterprise/Local Business Enterprise Ordinance II Report with recommendations."  
Recommended.  
(Supervisor Migden added as co-sponsor.)

11. File 97-91-20. [Human Rights Commission Advisory Committees] Ordinance amending Administrative Code by amending Section 12A.6 to find that the inclusion on the Advisory Council on Human Rights and Advisory Committees created by the Human Rights Commission of owners, officers, and employees of women, minority and local business enterprises promotes the purpose of human rights activities and to find that such owners, officers and employees are tantamount to the public generally and to delete the requirement that members of the lesbian/gay advisory committee be residents of San Francisco. (Supervisor Kennedy)

ACTION: Hearing held. Amended on page 1 line 8 after "generally" by deleting "and to delete the requirement that members of the lesbian/gay advisory committee be residents of San Francisco" and on page 2 line 16 by adding "Members shall be residents of the City and County of San Francisco."  
Recommended as amended.  
(Supervisor Migden added as co-sponsor.)

12. File 4-90-37. Hearing to consider urging the Mayor to set aside a special introspective and consciousness-raising day in San Francisco to officially review the status of women in our City and our world today, so that we may better address the concerns and needs of women, including issues of workplace discrimination, pay equity, reproductive health, gender justice in the culture, parenting, child care, social empowerment, and also to consider the special achievements of local women. (Supervisor Hongisto)  
(Continued from 1/23/91)

ACTION: Filed.

13. File 4-91-6. Hearing to consider declaring a day to be "Troop Celebration Day" in honor of the thousands of Bay Area men and women who fought in the Middle East. (Supervisor Maher)

ACTION: Filed.

14. File 19-90-11. Hearing to consider the impact of removing the "No Left-Hand Turns" signs from Broadway, going east and turning onto Columbus Avenue, and Stockton and Powell Streets. (Supervisor Maher)

ACTION: Filed.









CITY AND COUNTY



OF SAN FRANCISCO

**BOARD OF SUPERVISORS**

**BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

**DOCUMENTS DEPT.**

May 9, 1991

MAY 10 1991

**SAN FRANCISCO  
PUBLIC LIBRARY**

TO: Economic and Social Policy Committee

FROM: Budget Analyst - *Recommendation*

SUBJECT: May 14, 1991 Economic and Social Policy Committee Meeting

Item 2 - File 188-91-4

**Note:** This item was continued at the April 16, 1991 Economic and Social Policy Committee Meeting.

The proposed resolution would urge the Water Department, Department of Public Works, Fire Department, Recreation and Park Department and Public Health Department to expedite completion and implementation of a water reclamation master plan that includes feasible uses in the Mission Bay Project area and all other appropriate projects and a cost recovery rate system. The proposed resolution would also declare that it is the Board of Supervisors' policy that all feasible actions be undertaken to implement a reclamation master plan.

**Description**

1. In 1989 the Board of Supervisors passed resolution 389-89 entitled "Groundwater Management and Utilization" which directed DPW and the Water Department to improve wastewater reclamation and reuse in San Francisco. In December, 1989, an RFP was issued to develop a City Water Reclamation Master Plan. James Montgomery Inc. was selected to prepare the Master Plan. The development of the Master Plan began in July, 1990 and according to DPW, will be completed approximately August, 1992. The Clean Water Program is administering the development of the Water Reclamation Master Plan under the advice of the Water Department, Fire Department, Recreation and Park Department and the Department of Public Health.

2. Wastewater reclamation is the treatment and management of municipal, industrial, or agricultural wastewater to produce water of suitable quality for additional beneficial uses. The Water Reclamation Master Plan is addressing the direct reuse of wastewater such as putting the water into pipes for domestic use.

3. The Water Reclamation Master Plan will include the following:

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• **Identification of Potential Reclamation Projects**--The final Master Plan will provide the City with long-term guidance for implementing reclamation projects as well as including program phasing and costs, identifying environmental studies and pilot studies which might be required.

• **Reclamation Project Alternatives Development and Screening**--Alternative reclamation projects will be screened for technical feasibility, cost effectiveness, and implementability.

• **Regulating Requirements**-- Water quality requirements for such uses as firefighting, groundwater recharge, and wetlands development will require DPH's, the Regional Water Quality Control Board and the State Department of Health Services consultation and negotiation.

• **User Needs and Concerns**-- Potential users will be surveyed to learn their needs for both quantity and quality of water.

• **Technological Factors**-- The complete reclamation project alternatives will identify the required treatment process and determine the sizing, location and distribution method.

• **Economic Analysis**--The cost effectiveness of each preliminary alternative will be evaluated and a cost-benefit ratio developed for each alternative. The estimated costs of water reclamation will be compared with the incremental costs of expanded or additional water supplies.

### Comments

1. Ms Karen Kubick of the Clean Water Program advises that the implementation of the City's final Water Reclamation Master Plan would occur sometime in 1996. According to Ms. Kubic, after the Water Reclamation Master Plan is complete, Master Plan implementation is contingent on the completion of other related projects. The following are these related projects and their expected completion dates:

- Environmental Impact Report \_\_\_\_\_ 1993
- Construction of the Oceanside Treatment Plant \_\_\_\_\_ 1994
- Construction of the Water Recharge Treatment Facility \_\_\_\_\_ 1995

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

Memo to Economic and Social Policy Committee  
May 14, 1991 Economic and Social Policy Committee Meeting

As such, the final implementation of the Water Reclamation Master Plan is not expected until sometime in 1996.

2. According to Ms. Kubick, the Water Reclamation Master Plan will include consideration of feasible uses in the Mission Bay Project area. The exact nature of these considerations, however, are not known at this time.

3. In addition to examining uses of reclaimed wastewater, the Master Plan will consider the feasibility of using local groundwater.

4. The rate structure for the final implementation of the Master Plan has not yet been developed. However, Ms. Kubick advises that, because the reclaimed wastewater is of lower quality than the water from the Hetch Hetchy, the rates for reclaimed wastewater will probably be less than the rates for potable water.

5. At the April 16, 1991 Economic and Social Policy Committee Meeting, the Committee amended the proposed resolution to include all other appropriate projects in addition to the Mission Bay Area. Such amendments are included in the currently proposed resolution that is before the Committee.

**Recommendation**

The proposed resolution is a policy matter for the Board of Supervisors.





Item 4 - File 13-91-6

**Item:** The proposed resolution would endorse the Ancient Forest Protection Act of 1991 (HR 842), and request that California members of Congress and the San Francisco Legislative representative in Washington, D.C. take all action necessary to achieve the objectives of the proposed resolution.

**Description:** The Ancient Forest Protection Act of 1991 (HR 842) defines significant areas of "ancient forest" using various documents which outline the specific requirements for mixed canopy conifer forests, the number of live species of trees, the density of downed logs, and the definition of an owl habitat. The bill also defines "associated forests" as forests and lands which are not ancient forests but still are necessary to retain the integrity of the ecosystem.

The Ancient Forest Protection Act of 1991 would establish a process to designate areas as a National Ancient Forest Reserve System, which would give protection to remaining "ancient forests" on Federal lands in Northern California, Washington, and Oregon. Logging and road building activities would be prohibited within these areas. The bill requires the Secretaries of Interior and Agriculture, within 45 days of passage of the Act, to produce maps delineating areas of ancient and associated forests to be protected. Such interim protection would continue until Congress passes separate legislation approving the National Ancient Forest Reserve System. The final Act of Congress would be enacted after a process by which the final boundaries for the National Ancient Forest Reserve System would be agreed upon by industry, environmentalists and local communities, on a district by district, or forest by forest basis. The final areas reserved would be designated on maps. The Act would also direct a national panel of scientists, chaired by the Council on Environmental Quality, to make further recommendations on steps to ensure the perpetuation of ancient forest ecosystems.

**Comments:** 1. Ms. Lynne Corn of the Congressional Research Service reports that the current version of the Ancient Forest Protection Act of 1991 has broadly overlapping ecological definitions as to what would be protected as "ancient forests." Ms. Corn reports that a specific assessment of which areas in California would be protected by the Act, and an assessment on the economic impact on timber sales cannot fully be estimated under the current version of the Act.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

2. Mr. Louis Blumberg of the Wilderness Society in San Francisco reports that the State's Office of Economic Development estimates that between 1979 and 1989, 6,300 jobs were lost in the timber industry in California because of automation and timber imports. Mr. Blumberg reports that this trend is estimated to continue regardless of whether "ancient forests" are protected or not. Mr. Blumberg also reports that the U.S. Forest Service has assessed that the Act would have an insignificant impact on the price of building materials. According to Ms. Lisa Glantz of the Audubon Society in Washington, D.C., the Ancient Forest Protection Act of 1991 contains no economic aid and worker assistance package, such as job retraining or relocation for workers provisions. However, the final version of the bill could be amended to include economic aid provisions.

3. Another bill regarding ancient forests, The Ancient Forest Act of 1991 (H.R. 1590) which is currently pending in Congress would preserve 6.3 million acres of ancient forests that are targeted as Northern Spotted Owl habitats. The Audubon Society in Washington D.C. reports that 50 to 70 percent of the proposed 6.3 million acres has already been logged over, and is not an ancient forest but a second growth forest, and areas in the California Northern Sierra and eastside forests of Washington and Oregon would not be protected since these areas do not contain any Northern Spotted Owl habitats. H.R. 1590 includes an economic aid package which provides worker retraining provisions.

4. Mr. Robert Van Meter, President of the Los Angeles Audubon Society reported at a House Interior Subcommittee hearing on National Parks and Public Lands, that the ancient forest areas in California are located in the Sequoia National Forest in the Sierra Nevada Mountains. Another ancient forest area in California is located in the Klamath province in Northwestern California, where the Klamath National Forest and parts of the Shasta-Trinity and the Six Rivers National Forests are located. The specific area of these forests which would be protected under the Ancient Forest Protection Act of 1991 is not known.

5. Mr. Van Meter also estimated that there probably exists a little over three million acres of ancient forests in Oregon and Washington, and about 1.5 million acres of ancient forests in California. Mr. Van Meter estimates that less than 10 percent of the ancient forests which existed 40 to 50 years ago remain today.

Memo to Economic and Social Policy Committee  
May 14, 1991 Economic and Social Policy Committee Meeting

**Recommendation:** Approval of the proposed resolution is a policy matter for the Board of Supervisors.



Item 5 - File 12-91-17

The proposed resolution would endorse pending State legislation (SB 1224), which requires that water conservation devices be installed in all buildings by the seller at the point of sale or transfer. Specifically, this legislation would require that transferors of residential, commercial, or industrial property using water in showers, lavatory faucets, urinals, water treatment devices or water closets, deliver to the transferee, as soon as practicable prior to the transfer of title, a written statement that conservation devices, as prescribed in Section 25423 of the State Public Resources Code, are installed in all fixtures in the property, with specified exceptions. The proposed State legislation would become effective January 1, 1993.

The proposed legislation provides exceptions to installing water conservation devices on fixtures for health or safety purposes, when specified standards are met without the need for additional water conservation devices, and where access to plumbing system components is available only beneath a finished wall or surface.

Other provisions of the proposed legislation are as follows:

Requires real estate agents, salespersons, and brokers to provide written notice of the subject water conservation requirements to the buyer and seller prior to closing of the sale.

Holds harmless from legal challenge agents to the transfer of title, for an error, inaccuracy, or omission relating to the seller's disclosure. However, real estate licensees who participate in making the disclosure with actual knowledge of the falsity of the disclosure would be exempt from this hold-harmless provision.

Specifies that the real estate licensee or any other agent of any party to the transfer of title of property has no obligation to monitor or ensure compliance with the provisions of the proposed legislation.

Specifies that no transfer of title to property shall be invalidated on the basis of a failure to comply with the requirements of the proposed legislation.

The proposed legislation does not preempt any stricter conservation requirements that might be enacted by the City.

Any violation of the proposed legislation's requirements would be punishable as an infraction punishable by a maximum fine of \$250 for each offense.

California law requires the State to reimburse local agencies and school districts for certain costs mandated by the State. Statutory provisions establish

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



procedures for making that reimbursement. However, the proposed legislation provides that no State reimbursement is required for implementation of the provisions of SB 1224 "because the only costs which may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, changes the definition of a crime or infraction, changes the penalty for a crime or infraction, or eliminates a crime or infraction."

### Comments

1. Mr. Franz Hansell, Manager of the Water Department's Conservation Unit, reports that the Water Department fully endorses passage of the subject State legislation. Mr. Hansell cites the following reasons for endorsing the proposed State legislation:

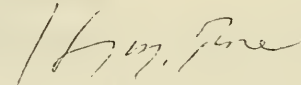
- Positive savings in water and pay back to customers within approximately three years.
- The conservation devices are passive in that they require no life-style change to conserve water.

2. The following relevant comments were extracted from the proposed legislative analysis of SB 1224:

- a. Proponents of SB 1224 state that for a pre-1980 single family home, the water savings estimate for the replaced fixtures and appliances required by this bill ranges from 13,500 to 21,000 gallons per year. According to preliminary estimates made by the State Department of Water Resources (DWR), by the year 2010, Statewide water savings would be at least 410,000 acre feet per year based on toilet replacement alone.
- b. Opponents of SB 1224 state that this measure will have a detrimental affect on housing sales by increasing the amount of closing costs due to the retrofit requirements. They argue that even an additional \$500 in closing costs would prevent many low and moderate income households from purchasing a home. Further, they state that different types of buildings can best conserve water in different ways and the retrofit measures required by this bill may not be the most suitable or cost effective method of water conservation.
- c. According to the San Diego County Water Authority, the cost of a toilet required to be installed by this bill ranges from \$100-\$250, with installation costs ranging from \$40-\$100. DWR estimates the mortgage payment for a three-person family that purchases a two-bath house would increase by \$2.75 per month because the seller would add the cost of appliance and fixture replacement to the price of the home. However, DWR estimates that the family's monthly water and sewer bills would initially decrease by \$3.25 per month, a savings that would increase over time as the cost of water and sewage treatment rises.

**Recommendation**

The proposed resolution is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board  
Legislative Policy Analysts  
Chief Administrative Officer  
Controller  
Sam Yockey  
Ted Lakey

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



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ACTION

CALENDAR

MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, MAY 14, 1991 - 2:00 P.M.

ROOM 228, CITY HALL

PRESENT: SUPERVISORS MIGDEN AND ALIOTO

ABSENT: SUPERVISOR KENNEDY

CLERK: KAY GULBENGAY

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MAY 16 1991

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CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Economic and Social Policy Committee, and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or a member of the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item:
  - (a) File 15-91-4. Consideration of revoking of taxi stands, various streets. (Department of Parking and Traffic)  
Taxicab Stands 7 A.M. to 11 P.M. - Revoke  
Clement Street, north side, from 33 feet east of 7th Avenue to 18 feet easterly.  
  
18th Avenue, west side, from 23 feet north of Geary Boulevard to 18 feet northerly.  
  
Clement Street, north side, from 11 feet east of 43rd Avenue to 20 feet easterly.  
  
Geneva Avenue, south side, from 70 feet east of Mission Street to 22 feet easterly.  
  
Grove Street, north side, from 14 feet east of Polk Street to 12 feet easterly.  
  
24th Street, south side, from 2 feet east of Mission Street to 24 feet easterly.



- (b) File 18-91-6. Consideration of establishing of Stop intersections, various streets. (Department of Parking and Traffic)

Stop Signs – Establish

Quesada Avenue and Keith Street, northeast and southwest corners, stopping Quesada Avenue traffic (makes this an all-way STOP).

Jennings Street and Revere Avenue, southeast and northwest corners, stopping Jennings Street traffic (makes this an all-way STOP).

Ingalls Street and Quesada Avenue, southeast and northwest corners, stopping Ingalls Street traffic (makes this an all-way STOP).

Ingalls Street and Revere Avenue, southeast and northwest corners, stopping Ingalls Street traffic (makes this an all-way STOP).

Revere Avenue and Hawes Street, northeast and southwest corners, stopping Revere Avenue traffic (makes this an all-way STOP).

Van Dyke Avenue and Keith Street, northeast and southwest corners, stopping Van Dyke Avenue traffic (makes this an all-way STOP).

- (c) File 19-91-5. Consideration of establishing and revoking of parking regulations, various streets. (Department of Parking and Traffic)

Parking Meter Area 3 – Extend

212 Utah Street, from the north property line to 91 feet southerly (south property line 91-foot zone).

No Parking Any Time Except Sunday – Establish

No Parking Any Time – Revoke

Darien Way, south side, between San Rafael Avenue and the Junipero Serra frontage Road.

- (d) File 20-91-6. Consideration of establishing and revoking of traffic regulations, various streets. (Department of Parking and Traffic)

Tow-Away No Stopping Any Time – Establish

Stockton Street, east side, from California Street to 85 feet southerly (85-foot zone).

Tow-Away No Stopping, 7 A.M. to 6 P.M., Weekdays – Establish

3rd Street, east side, from Folsom Street to 100 feet south (100-foot zone).

ACTION: Consent Calendar recommended.





- (a) File 15-91-4. Hearing held. DPT recommendations recommended. Resolution prepared in and reported out of committee.  
Entitled: "Rescinding taxicab stands on various streets."  
Recommended.
- (b) File 18-91-6. Hearing held. DPT recommendations recommended. Resolution prepared in and reported out of committee.  
Entitled: "Designating certain intersections as Stop intersections."  
Recommended.
- (c) File 19-91-5. Hearing held. DPT recommendations recommended. Resolution prepared in and reported out of committee.  
Entitled: "Enacting and extending parking regulations on various streets."  
Recommended.
- (d) File 20-91-6. Hearing held. DPT recommendations recommended. recommendations recommended. Resolution prepared in and reported out of committee.  
Entitled: "Enacting traffic regulations on various streets."  
Recommended.

#### REGULAR CALENDAR

- 2. File 188-91-4. [Water Reclamation] Resolution urging the Water Department, Public Works Department, Fire Department, Recreation and Park Department and Public Health to expedite completion and implementation of a reclamation master plan that includes feasible uses in the Mission Bay Area and all other appropriate projects and a cost recovery fee system; declaring that it is the Board's policy that all feasible actions be undertaken to implement a reclamation master plan. (Supervisor Maher)  
(Continued from 4/16/91)

ACTION: Continued to call of the chair at the request of author.

- 3. File 214-91-1. [Sister City] Resolution urging the Mayor to establish Sister City between San Francisco, California and Las Vueltas, El Salvador. (Supervisors Gonzalez, Ward, Shelley)  
(Continued from 4/30/91)

ACTION: Hearing held. Continued to 5/30/91 meeting at request of author.  
(Supervisors Alioto, Britt, Kennedy and Hallinan added as co-sponsors.)



4. File 13-91-6. [Federal Legislation] Resolution endorsing the Ancient Forest Protection Act of 1991, HR 842. (Supervisors Alioto, Migden, Achtenberg, Shelley)

ACTION: Hearing held. Recommended.

5. File 12-91-17. [Supporting SB 1224] Resolution supporting Senate Bill 1224 (Killea) which requires that water conservation devices be installed in all buildings by the seller at the point of sale or transfer. (Supervisor Migden)

ACTION: Hearing held. Recommended.

6. File 40-91-1. [Parking of Vehicles] Resolution extending the boundaries of Residential Permit Parking Area "P" in the Anzavista/Beideman area; and adding Baker Street, between Golden Gate Avenue and McAllister Street, both sides; Divisadero Street, between Turk Street and Golden Gate Avenue, both sides upon which time limitations shall apply. (Department of Parking and Traffic)

ACTION: Hearing held. Recommended.

7. File 36-91-5. [Final Negative Declaration] Resolution adopting a Final Negative Declaration, finding and determining that the addition of Planning Code Section 249.10 to establish an Affordable Housing Special Use District, and the construction of 12 affordable housing units on a portion of Lot 72 in Tax Assessor's Block 3642, will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration; companion measure to Files 36-91-5.1 and 81-91-2. (Department of City Planning)

ACTION: Hearing held. Recommended.

8. File 36-91-5.1. [Zoning Map Change] Ordinance adopting changes in property classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 1272-1278 South Van Ness Avenue, between 23rd and 24th Streets, a portion of Lot 72 in Assessor's Block 3642 from an RM-1 (Mixed Residential, Low Density) District to an RM-1 (Mixed Residential, Low Density) District and the South Van Ness Avenue and 24th Street Affordable Housing Special Use District; and adopting findings pursuant to Section 101.1; companion measure to Files 36-91-5 and 81-91-2. (Department of City Planning)

(Approved by City Planning Commission Resolution No. 13077.)

ACTION: Hearing held. Recommended.



9. File 81-91-2. [Special Use District] Ordinance amending City Planning Code by adding Section 249.10 to create and Affordable Housing Special Use District at South Van Ness Avenue and Twenty-Fourth Street and finding consistency with Planning Code Section 101.1; companion measure to Files 36-91-5 and 36-91-5.1. (Supervisor Ward)

(Approved by City Planning Commission Resolution No. 13076.)

ACTION: Hearing held. Recommended.

10. File 115-91-6.1. [Final Negative Declaration] Resolution adopting Final Negative Declaration, finding and determining that the construction of a mixed-use development consisting of 120 units of senior housing and 9,050 square feet of commercial/institutional uses, 4,000 square feet of community service space and ground floor parking for approximately 57 automobiles in a planned unit development requiring a reclassification from a P (Public) to an NC-2 (Small-Scale Neighborhood Commercial) District in Assessor's Block 3180 Lot 1 (portion for the property located at 11 Phelan Avenue will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration; companion measure to File 115-91-6. (Department of City Planning)

ACTION: Hearing held. To Board without recommendation on Tuesday, May 28, 1991.

11. File 115-91-6. [Zoning Changes] Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 11 Phelan Avenue, northwest corner at Ocean Avenue, a portion of Lot 1, Assessor's Block 3180 from a P (Public Use) District to an NC-2 (Small-Scale Neighborhood Commercial) District; companion measure to File 115-91-6.1. (Department of City Planning)

(Approved by City Planning Commission Resolution No. 13042.)

ACTION: Hearing held. Amendment of the whole (as presented in committee) adopted.

Entitled: "Adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 11 Phelan Avenue, northwest corner at Ocean Avenue, a portion of Lot 1, Assessor's Block 3180 from a P (Public Use) District to an NC-2 (Small-Scale Neighborhood Commercial) District and adopting findings pursuant to Section 101.1 of the Planning Code."  
To Board without recommendation on Tuesday, May 28, 1991.





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CITY AND COUNTY



OF SAN FRANCISCO

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ATTN: Gerry Roth

## BOARD OF SUPERVISORS

### BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

May 20, 1991

TO: Economic and Social Policy Committee

FROM: Budget Analyst - *recommendations*

SUBJECT: May 21, 1991 Special Economic and Social Policy Committee Meeting

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MAY 21 1991

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#### Item 1 - File 109-91-2

1. The proposed draft vacancy control ordinance would amend the Administrative Code to establish limits on initial rents for rental units in San Francisco and create procedures for landlords to verify these initial rents to new tenants. The proposed ordinance would also amend the Administrative Code to provide for arbitration of initial rents, additional factors to be considered by the City's Rent Stabilization and Arbitration Board hearing officers and new criminal and civil penalties for violation of the proposed vacancy control regulations. An initial rent would apply to a rental unit in which a turnover in tenancy has occurred.

2. The Rent Stabilization and Arbitration Board (Rent Board) is responsible for fully administering the Rent Control Ordinance in the City of San Francisco. The proposed ordinance would not change the definition of rental units that are subject to the City's rent control provisions. Owner-occupied buildings of four units or less and buildings constructed after June 13, 1979 would continue to be exempt from all existing and proposed rent control or vacancy control regulations. Similarly, no changes are proposed to the annual four to seven percent per year limits on rental increases for existing tenants, the existing pass-through provisions for the cost of utilities or for capital improvements that are approved by the Rent Board. Rather, the proposed ordinance would impose additional limitations on those landlords that are subject to rent control for establishing new rents when a tenant vacates a rental unit and a new tenant moves into that unit.

3. Section 37.3 of the City's Administrative Code would be amended to specifically establish initial rents for each rental unit in San Francisco which is occupied on or after July 1, 1991 and that is subject to rent control under the City's existing rent control ordinance. Under the City's existing ordinance, there are no limits on the amount of rent that is charged to new tenants. The proposed ordinance would establish a limit ranging from 10 to 14 percent on the amount of additional rent a new tenant would pay as compared with the previous tenant that vacated the rent controlled apartment. The actual amount of the increase (10 to 14 percent) would be determined according to the length of occupancy of the previous tenant, based on an allowable increase of two percent per year for every year of occupancy, based on a retroactive date of on or after April 1, 1982, up to a maximum total increase of 14 percent. For example, if the previous tenant moved into the rental unit on December 1, 1983 and then vacated the rental unit on December 1, 1990, the landlord's allowable rental increase to the new tenant would be 14 percent, based on the previous tenant's occupancy of seven years multiplied by the two percent per year allowable increase. At a minimum, the proposed ordinance would entitle all landlords to an automatic ten percent increase. However, this vacancy increase could only be imposed if the previous tenancy was voluntarily terminated by the tenant or upon a lawful eviction as per the City's Rent Board regulations. In addition, this vacancy increase provision could not be imposed more than once every two years.

4. Section 37.3 would also include other provisions for establishing the new initial rent for those rental units that have been continuously occupied by the same tenant prior to April 1, 1982. The landlord would be able to add to the initial rent any annual rent increases which the landlord banked, or did not impose, between June 13, 1979 (when the rent control ordinance was adopted), and March 31, 1982 that were lawfully permitted under the City's existing rent control law. The current legislation permits banking of the annual rent increases from April 1, 1982 to present. This banking mechanism, which is allowed under the existing rent control ordinance, permits landlords who have chosen not to raise rents in a given year to impose the allowable increases at some future date, less any increase that was actually imposed. For example, the City's existing rent control law permitted annual increases in rent of four percent in 1987 and four percent in 1988. However, if an individual landlord only imposed a two percent increase on the tenant in 1987 and no increase in 1988, the landlord would be permitted to adjust the new rent by an additional six percent (two percent for 1987 and four percent for 1988).

5. For those tenants that occupied rental units prior to June 13, 1979, the proposed ordinance would also allow the new rent to be adjusted based on the tenants actual move-in date plus 60 percent of the Consumer Price Index (CPI) for All Urban Consumers for the San Francisco-Oakland Metropolitan Area for each year of occupancy up until 1979. However, if a landlord felt that these procedures did not provide a fair rent because the particular unit was initially rented at below market rates or because of other factors, the proposed ordinance would enable the landlord to petition the City's Rent Board to establish a Fair Market Adjustment for the rental unit within 120 days of the commencement of the tenancy. This

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

proposed procedure, which would be used as an alternative to the CPI adjustment, would set a hearing to determine the fair market value of the rental unit as of June 13, 1979. Evidence at the hearing would include, but not be limited to, rents advertised in local newspapers for that neighborhood during the week of June 13, 1979, which would be available at the Rent Board. Once the 1979 fair market value was established, the above discussed administrative procedures of banked annual percent increases and between 10 to 14 percent additional increases would then be applied to calculate the new current rent on the rental unit.

6. Under the proposed ordinance, landlords would be required to follow the above administrative guidelines for establishing new initial rents. To implement the regulations, each landlord would be required to provide prospective tenants with a written disclosure statement itemizing the previous rent, all rental increases (vacancy allowance, banking, capital improvements, rehabilitation and energy measures, utilities, CPI adjustment) and indicating the total amount of rent that will be charged to the new tenant. This disclosure statement must also be dated and signed by the landlord and include a statement that information and verification regarding allowable rents is available to the prospective tenant from the City's Rent Board.

7. Within 120 days, the tenant may ask the Rent Board to review the disclosure statement and verify the initial rent. If a tenant does not receive a disclosure statement, the tenant would have up to one year from the time the tenancy begins to file for review of the initial rent with the Rent Board. The Rent Board would then request that the landlord submit documentation (rent receipts, rental agreement of previous tenants, etc.) to substantiate the initial rent charged to the tenant within 30 days. The proposed amendment specifically authorizes the Rent Board's hearing officers to consider whether a landlord is receiving a fair rate of return in determining the rent.

8. The Rent Board would then notify both the tenant and the landlord within 30 days of the Rent Board's determination of the proper rent. If either the tenant or the landlord has concerns about the Rent Board's determination of the proper rent, within 30 days, either party may petition for a hearing from the Rent Board. It should be noted that in both the verification procedures and the hearing procedures, the burden of proof is on the landlord. However, throughout these procedures, the tenant would be obligated to pay the landlord the rent contained in the initial disclosure statement. Based on the decision of the Rent Board's hearing officer, the initial rent would be established and, if necessary, the landlord would be required to refund within five days (final ordinance to reflect 15 days) or offset against future rents any amount charged the tenant that exceeded the allowable initial rent. Conversely, the hearing officer would determine an equitable method for the tenant to pay the landlord the amount owed.



9. It should also be noted that the proposed ordinance would enable a tenant to request a hearing from the Rent Board if the landlord has substantially decreased housing services, has failed to perform ordinary repairs and maintenance or has failed to provide the tenant with a clear explanation of utility charges. As exists under the current regulations, in all of these cases, the burden of proof would be on the tenant.

10. The proposed ordinance would also make it a misdemeanor for a landlord to charge a new tenant a rent which is greater than the vacancy control administrative limits allow. Conviction of such a misdemeanor would be punishable by a fine of up to \$2,000 and/or imprisonment for up to six months. The proposed legislation also permits a tenant to take civil actions against a landlord who fails to comply with the rent disclosure requirements and, if successful, to recover up to three times the actual damages and any other relief the court deems appropriate.

11. As stated in the proposed legislation, the additional banked percentage increases and CPI adjustments have been included to assure that landlords who have had long-term tenants with historically low rents receive fair rents upon the first new tenancy commencing on or after July 1, 1991. The proposed legislation, if approved by the Board of Supervisors, would become effective July 1, 1991. If the proposed ordinance is approved, the Board of Supervisors would also be required to review the established limitations on rents within two years, or prior to July 1, 1993 for any additional adjustments, if necessary, in order to continue to assure that landlords are receiving fair and reasonable rents. If the Board of Supervisors fails to review the limitation prior to July 1, 1993, the proposed ordinance would expire on July 1, 1993.

### Comments

1. According to the Rent Board, it is difficult to estimate the precise impact and cost of the proposed legislation because it would be determined by the number of reviews, verifications and hearings requested by individual tenants and landlords. Based on discussions with the Budget Analyst, the preliminary estimated cost to implement the proposed legislation would be approximately \$190,000 for fiscal year 1991-92. These costs include one full-time Citizen Complaint Officer, one full-time Clerk Typist and one-half time Hearing Officer, work order funds for the City Attorney's Office to perform additional work for the Rent Board, one-time computer programming and hardware costs and related materials and equipment costs. It should be noted that during the first year of operation, the Rent Board would incur one-time costs of approximately \$25,000 to purchase computer hardware, programming equipment and desks, chairs and file cabinets for the proposed new employees. To partially offset these one-time costs, the Rent Board projects that the additional half-time Hearing Officer would not be required until approximately six months after the legislation is adopted. Aside from these first year costs, based on 1990-91 salaries, the annual cost for the Rent Board to implement the proposed legislation should be approximately \$165,000 per year.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

2. Together with the existing Rent Board's budget of \$1,412,864, the additional approximately \$165,000 of annual costs for vacancy control would result in a total Rent Board cost of approximately \$1,577,864. These costs do not include one-time expenses for the Rent Board.

3. In 1989, the Board of Supervisors adopted legislation which eliminated all of the rent control filing and petition fees and replaced these fees with an \$8 per unit fee on the owner of all rent controlled units in the City. The revenues generated from this \$8 per unit fee are being used to cover the actual costs of operating and administering the Rent Board, including the costs of any new legislation, and for the City's expenses incurred in collecting the proposed fees. According to Ms Anita Jin of the Tax Collector's Office, as of May 17, 1991, the City had received \$1,317,141 of the Rent Board's fees for fiscal year 1990-91. Ms. Jin reports that there is approximately another \$120,000 to \$250,000 of delinquent fees owed, including interest, penalties and administrative charges.

4. If the proposed legislation is approved, resulting in increased costs to the Rent Board, the current \$8 per unit fee collected by the City to offset the existing costs of the Rent Board may need to increase. Based on the current rate of collections, the Budget Analyst estimates that the annual per unit fee would have to increase by approximately \$1.00 from \$8 to approximately \$9.00 per unit for fiscal year 1991-92 to cover the additional costs of vacancy control. Under the existing regulations, the per unit fee is charged by the City to the owner of the building, however, the owner may pass on the cost of the fee to the individual tenants.

5. As mentioned above, the proposed legislation specifically authorizes the Rent Board's hearing officers to consider whether a landlord is receiving a fair rate of return in determining the rent. Ms. Kathryn Pennypacker of the City Attorney's Office reports that according to State law, rent control or vacancy control legislation cannot deprive a landlord of a fair rate of return. However, the definition of fair rate of return is not defined by the proposed legislation. According to the proposed legislation, the Rent Board would be responsible for developing administrative regulations for implementing the proposed ordinance.

6. The Budget Analyst conducted a telephone survey of three California jurisdictions (i.e., Berkeley, Santa Monica and West Hollywood) that currently have rent and vacancy control ordinances. Berkeley and Santa Monica do not currently permit increases in rents if the unit becomes vacant. However, discussions with Santa Monica Rent Board staff indicate that Santa Monica is currently considering to permit increases for vacant units that have historically had low rents. The City of West Hollywood allows a ten percent increase in rents when the unit becomes vacant but is limited to once every five years. In these other jurisdictions vacancy control was adopted at the same time as rent control, such that it is not possible to separately analyze the costs of vacancy control. Therefore, the following comparisons include the total projected costs and full-time equivalent (FTE) staffing of rent control and vacancy control in San Francisco with the other three jurisdictions in fiscal year 1990-91:

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



<u>Jurisdiction</u>	<u>Budget</u>	<u>Staffing (FTEs)</u>
Berkeley	\$2,180,000	34
Santa Monica	4,100,000	54
West Hollywood	1,800,000	27
San Francisco	1,412,864	20

7. Although the City of San Francisco is larger, as shown above, San Francisco's proposed Rent Board costs and level of staffing compare favorably to the other three jurisdictions. However, the difference in costs may be the result of several factors. The biggest factor is that Berkeley, Santa Monica and West Hollywood all require registration of apartment units, which also requires the annual certification of legal rents for each unit by their Rent Boards. In addition, the annual adjustments in rent must be separately calculated rather than by applying a more simple formula, as is done in San Francisco. These factors result in a greater number of staff required to handle the increased workload and a corresponding increase in costs in these other jurisdictions. Under the currently proposed vacancy control legislation, San Francisco would not require the registration of apartment units and would have a formula for calculating the increase in an apartment's rent when the apartment is vacated.

8. As reported by the Brookings Institution for the Urban Land Institute in "Residential Rent Controls: An Evaluation", stringent rent controls can cause the market values of controlled housing units to decline when compared to the levels of value attained by other types of real property that are not controlled. A study sponsored by various property-owner and other groups, including the San Francisco Coalition for Better Housing, entitled The Effects of Rent Control on Local Government Revenue (October, 1988) suggests that rent control results in a negative impact on property tax, transfer tax and business license fees collected by governments. Since the market value of a rental property is based, at least in part, on its income production, this report concludes that rent control, which by its nature limits rental income, thereby restricts the market value of these properties. Property taxes and real estate transfer taxes, which are assessed on property values, are therefore correspondingly reduced. Similarly, collections of business license fees, which are based on gross receipts of the business, would be reduced due to limited rental receipts.

9. In contrast, the Rand Corporation's analysis of projected impacts of rent and vacancy controls upon property tax revenues in Los Angeles concluded that there would not be much impact on property tax revenues.\* Similarly, discussions with the Cities of Berkeley and Santa Monica indicate that the growth in property sales have been fairly healthy in both of their communities. At the same time, Santa Monica reported that there are various other factors that can

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\* Rydell and others. Impact of Rent Control on the Los Angeles Housing Market. Pp. 69-76.

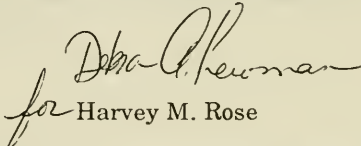
affect the property values and the turnover rates of property. For example, the City of Santa Monica adopted a restricted condominium conversion ordinance at the same time that their rent and vacancy control legislation was adopted and they believe that the restricted condominium conversion regulation had a greater impact on the property values and turnover rates than the rent and vacancy control legislation. However, no statistics were available from either of these jurisdictions.

10. Revenues generated for the City from various phases of ownership of residential rental property in San Francisco come primarily from property tax assessments, transfer taxes assessed at the time of sale of the property and local business taxes. Mr. Stephan Dunbar of the Assessor's Office reports that the proposed vacancy control legislation would tend to limit the increases in property values and assessments and therefore the property taxes collected by the City. According to Mr. Richard Sullivan of the Tax Collector's Office, there should not be any major impact on business taxes because most apartment owners would fall under the \$2,500 exemption category. The Budget Analyst cannot accurately project the impact that the proposed vacancy control legislation would have on the City's revenues and as discussed above, the literature on the impacts on local revenues is inconsistent. However, San Francisco's currently proposed vacancy control legislation is more flexible and not as stringent as many other cities' vacancy control ordinances.

11. The proposed draft ordinance has not yet been approved as to form by the City Attorney's Office. Ms. Pennypacker reports that the City Attorney's Office is preparing a final ordinance which will be available by the May 21, 1991 Special Committee Meeting. According to Ms. Pennypacker, it is anticipated that the final ordinance will not be substantively different than the current draft ordinance.

### Recommendation

Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

  
for Harvey M. Rose

cc: Supervisor Kennedy	Supervisor Maher
Supervisor Migden	Supervisor Shelley
Supervisor Alioto	Clerk of the Board
President Ward	Legislative Policy Analysts
Supervisor Achtenberg	Chief Administrative Officer
Supervisor Britt	Controller
Supervisor Gonzalez	Sam Yockey
Supervisor Hallinan	Ted Lakey
Supervisor Hsieh	

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



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CALENDAR - ACTIONS TAKEN

SPECIAL MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, MAY 21, 1991 - 12:00 - 4:00 P.M.

LEGISLATIVE CHAMBERS  
2nd Floor, City Hall

PRESENT: SUPERVISORS KENNEDY, MIGDEN AND ALIOTO

CLERK: KAY GULBENGAY

1. File 109-91-2. [Rent] Draft ordinance amending Administrative Code by amending Section 37.3 to establish limitations on initial rents for rental units and create a procedure for verification of initial rents and by amending Sections 37.7, 37.8, 37.10A and 37.11A to provide for arbitration of initial rents, expand factors to be considered by hearing officers, create a new criminal penalty and enlarge the scope of civil actions. (Supervisors Ward, Alioto, Migden, Achtenberg, Shelley)

ACTION: Hearing held. Ordinance approved as to form presented in committee.

Entitled: "Amending the San Francisco Administrative Code by amending sections 37.3, 37.7, 37.8, 37.10 and 37.11A thereof, to establish limitations on initial rents for rental units, create a procedure for verification of initial rents, provide for arbitration of initial rents, expand factors to be considered by hearing officers, create a new criminal penalty and enlarge the scope of civil actions." Recommended.  
(Supervisor Kennedy dissented.)

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NOTICE OF RESCHEDULED MEETING

ECONOMIC & SOCIAL POLICY COMMITTEE

CANCEL

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MAY 21 1991

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NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Economic & Social Policy Committee for Tuesday, May 28, 1991, at 2:00 p.m., has been rescheduled to Thursday, May 30, 1991, at 2:00 p.m., in Room 228, City Hall.

*Mary Anne Bulen*  
Mary Anne Bulen  
Acting Clerk of the Board

POSTED: MAY 15, 1991





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CALENDAR - ACTIONS TAKEN

RESCHEDULED MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, MAY, 30 1991 - 2:00 P.M.

ROOM 228, CITY HALL

PRESENT: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

ABSENT: SUPERVISOR ALIOTO - ITEMS 1 and 5

CLERK: KAY GULBENGAY

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JUN 3 1991

CONSENT CALENDAR

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1. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Economic and Social Policy Committee, and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or a member of the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item:
  - (a) File 15-91-5. Consideration of revocation of taxi zone, Union Street, north side, from 6 feet to 27 feet east of Hyde Street (21-foot zone). (Department of Parking and Traffic)  
Taxi Zone - Revoke  
Union Street, north side, from 6 feet to 27 feet east of Hyde Street 9 21-foot zone).
  - (b) File 19-91-6. Consideration of establishing and extending of parking regulations, various streets. (Department of Parking and Traffic)  
Parking Meter Area #2 - Extend  
Townsend Street, north side, from 7th Street to 81 feet west (81-foot zone), from 147 feet to 215 feet west of 7th Street (68-foot), from 4 feet to 398 feet east of 8th Street (394-foot zone), and from 408 feet to 504 feet east of 8th Street (96-foot zone).



- (c) File 20-91-7. Consideration of revoking of traffic regulations, various streets. (Department of Parking and Traffic)

Tow-Away, No Stopping, 7 A.M. to 9 A.M., Monday through Friday – Revoke  
18th Street, south side, between Folsom Street and Treat Avenue.

Tow-Away, No Stopping Anytime – Revoke  
Beale Street, west side, from 104 feet to 166 feet south of Mission Street  
(26-foot zone).

ACTION: Consent calendar recommended.

- (a) File 15-91-5. Hearing held. DPT recommendations recommended. Resolution prepared in and reported out of committee.

Entitled: "Rescinding taxicab stands on various streets." Recommended.

- (b) File 19-91-6. Hearing held. DPT recommendations recommended. Resolution prepared in and reported out of committee.

Entitled: "Enacting parking regulations on various streets."  
Recommended.

- (c) File 20-91-7. Hearing held. DPT recommendations recommended. Resolution prepared in and reported out of committee.

Entitled: "Rescinding traffic regulations on various streets."  
Recommended.

### REGULAR CALENDAR

2. File 40-91-2. [Parking of Vehicles] Resolution extending the boundaries of Residential Permit Parking Area "H" in the Lakeside area; and adding Borica Street, between Holloway Avenue and Urbano Drive both sides to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic).

ACTION: Hearing held. Recommended.

3. File 40-91-3. [Parking of Vehicles] Resolution extending the boundaries of Residential Permit Parking Area "G" in the Pacific Heights area; and adding Laguna Street, between Bush and Sutter Streets, east side and Presidio Avenue, between Bush and Sutter Streets, east side to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic).

ACTION: Hearing held. Recommended.



4. File 40-91-4. [Parking of Vehicles] Resolution extending the boundaries of Residential Permit Parking Area "V" in the Balboa Park area; and adding Cayuga Avenue, between Ottawa and Foote Avenues, both sides; Mount Vernon Avenue, between Cayuga Avenue and Alemany Boulevard, both sides; Niagara Avenue, between Cayuga Avenue and Alemany Boulevard both sides; Oneida Avenue, between the east property line of San Jose Avenue and a point 199 feet easterly, south side; Ottawa Avenue, between Cayuga Avenue and Alemany Boulevard, both sides; Rome Street, between the north terminus of Rome Street and the west terminus of Rome Street, both sides and San Jose Avenue, beginning at a point approximately 135 feet south of the south property line of Oneida Avenue to 60 feet southerly, east side, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic).

ACTION: Hearing held. Recommended.

5. File 214-91-1. [Sister City] Resolution urging the Mayor to establish Sister City between San Francisco, California and Las Vueltas, El Salvador. (Supervisors Gonzalez, Ward, Shelley, Alioto, Britt, Kennedy, and Hallinan)  
(Continued from 5/14/91)

ACTION: Continued to June 11, 1991 meeting at the request of the author.  
(Supervisor Alioto requested to be removed as a co-sponsor.)

6. File 174-91-3. [Cultural Affairs Task Force] Resolution amending Resolution No. 229-91, establishing a Cultural Affairs Task Force by expanding its membership to include 7 at large positions, and by clarifying the procedure for appointing members to the task force who are representatives of Board members. (Supervisor Hallinan)

ACTION: Hearing held. Amended (See File for details).

New Title: "Amending Resolution No. 229-91, establishing a Cultural Affairs Task Force, by expanding its membership to include 13 additional members."  
To Board without recommendation.

7. File 174-91-3.1. Hearing to consider amending membership of the Cultural Affairs Task Force to allow each member of the Board of Supervisors to serve on the task force or to appoint a representative to the task force. (Supervisor Maher)

ACTION: Hearing held. Resolution prepared in and reported out of committee.

Entitled: "Amending Resolution No. 229-91, establishing a Cultural Affairs Task Force, by expanding its membership to include a designee of each member of the Board of Supervisors and an appointee from each of the following organizations."  
To Board without recommendation.  
(Supervisor Kennedy added as co-sponsor.)





8. File 176-91-1.1. Hearing to consider welcoming the Ritz-Carlton Hotel to San Francisco; urging the Ritz-Carlton to draw from the San Francisco based labor force, particularly residents of color, in meeting its hiring needs at all levels of the hotel's personnel organization, and requesting hiring information from the Ritz-Carlton. (Supervisor Ward)

ACTION: Hearing held. Continued to call of the chair.

9. File 15-90-7. [Taxi Rates] Hearing to consider taxi rates, a procedure required each year between September 1 and December 1 by Police Code Section 1137. (Clerk of the Board)

(Continued from 12/13/90)

ACTION: Hearing held. Ordinance prepared in and reported out of committee.

Entitled: "Amending Part II, Chapter VIII, Article 16 of the San Francisco Municipal Code (Police Code), by amending Section 1135 to increase the rates of fare for taxicabs by approximately twenty percent above current rates, less the fifty cent temporary rate increase that was enacted by Ordinance No. 383-90 and will expire in June of 1991."

Recommended to Board as a committee report Monday,  
June 3, 1991.

10. File 107-90-2. Hearing to consider the Department of Social Services' Fraud Early Detection Program. (Supervisor Kennedy)

(Continued from 4/16/91)

ACTION: Hearing held. Continued to call of the chair.

File 107-90-2.1. Resolution prepared in and reported out of committee.

Entitled: "Urging the Mayor to review and investigate the feasibility and effectiveness of the Department of Social Services' Early Fraud Detection (FRED) Program and to report to the Board of Supervisors any findings and recommendations that may be made, and requesting the Budget Analyst to review and analyze the cost effectiveness of the FRED program."  
Recommended.

11. File 97-91-26. Hearing to consider the procedures used by various City departments in the awarding of contracts; such as, selection committee, project procedures and evaluation and rating system and responsibility. (Supervisor Kennedy)

ACTION: Hearing held. Filed.

12. File 161-91-2. Hearing to consider the leasing of business space in the Fillmore Center. (Supervisor Kennedy)

ACTION: Continued to call of the chair.



**BOARD OF SUPERVISORS****BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

May 28, 1991

**DOCUMENTS DEPT.**

MAY 31 1991

**SAN FRANCISCO  
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**Note:** This item was continued from the December 13, 1990 Economic and Social Policy Committee Meeting.

1. This item is a hearing to review taxicab rates in the City.
2. In accordance with Section 1137 of the Police Code, the Board of Supervisors is required to review rates for taxicabs, annually.
3. In June of 1986, the Board of Supervisors adopted a new Taxicab Rate schedule (File 121-85-14) as follows:

Flag Drop	\$1.40
Rate Per 1/6 Mile	.25
Traffic Delay and Waiting Time Per Hour	15.00 (\$0.25 per minute)

In addition, the rate for out-of-town taxi trips beyond 150 miles from the San Francisco border is 150 percent of the meter rate.

4. In November, 1990, the Board of Supervisors approved an emergency measure to impose a temporary fare surcharge to increase the flag drop rate \$.50 from \$1.40 to \$1.90 without changing the gate fee charged by the taxicab companies to the taxicab drivers for six months. This increase was imposed due to the sudden and drastic rise in gasoline costs which threatened to reduce the level of taxicab service below that which the Board of Supervisors deems adequate. This temporary \$.50 surcharge will expire on June 30, 1991. If approved by a subsequent Board of Supervisors' resolution, this temporary fare surcharge can be extended an additional six months.

5. During the past year, a Special Committee was created through the Mayor's Office to study the taxicab industry in San Francisco. According to Mr. John Madden of the Controller's Office, the Special Committee's draft report will not be available until after January of 1992.

6. The Controller is responsible for requiring that the taxicab companies provide financial statements and data to the City in order that the Controller can review the industry's financial information relative to the City's rate of fares for taxicabs. In April of 1991, the Controller completed his report on taxicab operations in the City. The Controller's report evaluated financial and operating data of the taxi industry and recommended an across the board fare increase of approximately 20 percent. The Controller further recommended that the \$.50 temporary surcharge approved by the Board of Supervisors be replaced by the proposed 20 percent fare increase, and that a subsequent rate review be commenced upon completion of the Mayor's Special Committee Report.

7. Based on taxi company financial statements, data developed by the Mayor's Special Committee in 1990, as well as other related data sources, the Controller recommended the following rate increases:

	<u>Current</u>	<u>Proposed</u>	<u>Percent Increase</u>
Flag	\$1.40 first 1/6 mile	\$1.70 first 1/6 mile	21.4%
Mileage	\$0.25 per 1/6 mile	\$0.30 per 1/6 mile	20.0%
Traffic delay and waiting time	\$0.25 per minute	\$0.30 per minute	20.0%

8. Based on the above proposed rates, the calculated cost for the first mile and subsequent miles, as well as waiting time, would change as follows:

	<u>Current</u>	<u>Proposed</u>	<u>Percent Increase</u>
First Mile	\$2.65	\$3.20	20.8%
Subsequent Mileage (per mile)	\$1.50	\$1.80	20.0%
Traffic delay and waiting time	\$15.00 / hour	\$18.00 / hour	20.0%

9. It should also be noted that, except for the Controller's recommended increase for subsequent mileage, the San Francisco Taxicab Association agrees with the recommendations of the Controller. The Taxicab Association has suggested a rate of \$1.90 for subsequent miles, which is \$.10 greater than the \$1.80 recommended by the Controller. According to the Taxicab Association, the additional \$.10 would be sufficient to cover current operating costs and future anticipated cost increases.

Item 10 - File 107-90-2

**Note:** This item was continued from the Economic and Social Policy Committee Meeting of April 16, 1991.

**Department:** Department of Social Services (DSS)

**Item:** Hearing on the Department of Social Services' Early Fraud Detection Program (FRED Program).

**Description:** In March of 1990, DSS began operating a "Front-end" early fraud detection program, known as FRED, for the AFDC, Food Stamps, and General Assistance Programs. According to DSS, San Francisco is the 24th county in California to develop a FRED Program. The objectives of the FRED Program are to:

- 1) Prevent ineligible persons from receiving aid for which they have applied;
- 2) Reduce the number of referrals for prosecution of welfare fraud;
- 3) Attempt to find, for ineligible persons, alternative sources of aid for which they are eligible.

The FRED Program attempts to verify information given in client applications and used to determine the eligibility of the client. FRED investigators do not review all applications; rather, eligibility workers for the AFDC, Food Stamps, and General Assistance Programs refer selected applications to the FRED Program for verification. DSS investigators for the FRED Program verify application information through home visits, client interviews, authorized third party contacts, and other resources. After the investigator verifies the application information, the investigator recommends that the client either receive aid, be denied aid, or be referred to another aid program for which the client may be eligible.

The FRED Program is staffed with one supervisor, eight eligibility workers, one social worker, and one clerk.

For the period July 1, 1990 through December 31, 1990, the FRED Program has handled 847 referrals. Of the total of 847 referrals, FRED Program staff found 389 cases to be eligible and recommended continuation or awarding of immediate aid, and found 458 cases to be ineligible and recommended aid be denied or discontinued.



- Comments:**
1. DSS estimates that, for the period July 1, 1990 through December 31, 1990, the FRED Program has saved \$549,185 or about \$648 per referral of the total of 847 referrals.
  2. DSS further reports that most of the savings during the first six months of FY 1990-91, or approximately \$505,825, have accrued to the State and Federal governments. The County's General Fund savings total approximately \$43,360 (See Attachment). The reason why most of the savings accrue to the Federal and State governments is because the AFDC and Food Stamps programs are 95 percent funded by the Federal and State governments. The City pays for the remaining five percent of the cost of these programs. Therefore, the Federal and State governments receive most of the savings benefit from the FRED Program.
  3. For all of Fiscal Year 1990-91, DSS expects to save a net total of \$1.25 million in reduced aid payments, which is nearly two and a half times more than the \$550,000 six months savings reported above. This is due to the accumulation of savings from new case referrals in the second half of FY 1990-91. Of the total of \$1.25 million, DSS expects to save \$100,000 in County General Fund monies. Mr. Raymond Colmenar of DSS further advises that these savings may increase in FY 1991-92 if State Senate Bill 802 is passed, which would make the FRED Program fully funded by the State.

TABLE I  
ESTIMATED FRAUD PREVENTION COSTS AND BENEFITS  
BASED ON FIRST SIX MONTHS OF FISCAL YEAR 1990-1991

	AFDC	SAVINGS AFDC Homeless	GA	FS	TOTAL SAVINGS	Costs	NET SAVINGS
Total	\$436,480	\$236,453	\$57,629	\$10,285	\$740,847	\$191,663	\$549,185
Federal	\$218,240	\$118,227		\$1,785	\$338,252	\$95,831	\$242,420
State	\$196,416	\$106,404			\$302,820	\$47,916	\$254,904
Local	\$21,824	\$11,823	\$57,629		\$91,276	\$47,916	\$43,360

Casemonths\*

Six Months	640	247	169	121
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Grant Amt.	682	630	341	85
		1,091		

\*Assumes 5 percent of those discontinued or denied reapply successfully for aid based on experience to date

Assumes GA and Food Stamps clients who are discontinued or denied remain off aid for four months.

Assumes AFDC clients who are discontinued or denied remain off aid for nine months.

Assumes a third of AFDC Homeless recipients receive permanent homeless assistance.



Item 11 - 97-91-26

1. This item is a hearing to consider procedures used by various City departments, such as committee selection, project procedures and evaluation and rating procedures, in awarding City contracts.

2. Chapter 7 of the City Charter specifies vendor selection requirements for the purchase of supplies, materials, and equipment and for procuring construction, reconstruction, or repair services. However, the City Charter provides only general guidance for procuring professional or general services.

3. Various sections of the City's Administrative Code address the procurement of professional and general services: Chapter 21, "Purchasing Procedure," is concerned primarily with the responsibilities of the Director of Purchasing and Services and Chapter 6, "Contract Procedure," is concerned primarily with contracts that are controlled by departments other than the Purchasing Department, such as most construction contracts. In addition, the Purchasing Procedures Manual, published by the Director of Purchasing and Services, includes as Chapter 900, "Personal Service and Lease Contracts," detailed procedures for selecting consultants.

4. The City's MBE/WBE/LBE Ordinance, Section 12D, contains specific procedures for awarding professional services contracts, the estimated cost of which exceeds \$10,000. Pertinent sections of that Ordinance are quoted below.

Professional services contracts, the estimated cost of which exceeds \$10,000, shall be awarded and administered in accordance with the following standards and procedures:

1. The contract awarding authority or the department making the contract award recommendation shall use good-faith efforts to solicit bids or proposals from MBEs and WBEs certified to provide the specified services. MBEs and WBEs shall be provided every practical opportunity to submit bids or proposals;

2. City departments shall include amongst consultant selection panelists individuals who are women and minorities;

3. All consultant selection panels and awarding officers shall apply the bid/rating preferences of each stage of the selection process, e.g., qualifications, proposals and interviews. Each evaluator shall score each consultant on a point system based on a predetermined evaluation criteria and predetermined point value. The bid/rating preference shall be applied to the scope attained by the MBE, WBE, and/or LBE as set forth in this Ordinance. If the highest score is attained by a MBE or WBE, the department shall enter into good-faith negotiations with that consultant. Upon a showing that negotiations were undertaken in good faith but did not result in a mutually acceptable contract with the aforementioned MBE or WBE consultant and prior approval of the Director, a department may

Memo to Economic and Social Policy Committee  
May 30, 1991 Economic and Social Policy Committee Meeting

award the contract to another competing consultant. (Added by Ord. 175-89,  
App. 5-30-89)

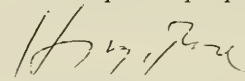
**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

Item 12 - 161-91-2

1. This item is a hearing to consider the leasing of business space in the Fillmore Center.

2. The Fillmore Center is a San Francisco Redevelopment Agency (SFRA) retail/residential development located on Fillmore between Geary Boulevard and Turk Street. The project, which opened in the Summer of 1989, has 1,113 rental units and approximately 73,000 square feet of retail space. This SFRA project cost approximately \$200,000,000 and was financed by private funds and mortgage revenue bond proceeds issued by SFRA. Under State law, SFRA is permitted to issue such bonds, with the authorization of the Board of Supervisors.

3. Mr. Robert Davis, Vice-President of the Fillmore Center, reports that approximately 20,000 square feet of the Center's retail space is currently committed or leased, leaving approximately 53,000 square feet still available for lease. The 20,000 square feet of space is being leased to nine separate tenants. The ethnic breakdown for these tenants is as follows: six - African-American, one - Hispanic, one - White and one - East Indian. Mr. Davis advises that the Center has an affirmative action marketing plan which reflects goals set by the Redevelopment Agency. These goals give preference to persons and businesses which were displaced or relocated as a result of land in the immediate vicinity of the Center being acquired by eminent domain for redevelopment purposes.



Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Superviosor Shelley  
Clerk of the Board  
Legislative Policy Analysts  
Chief Administrative Officer  
Controller  
Sam Yockey  
Ted Lakey

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**





**BOARD OF SUPERVISORS****BUDGET ANALYST** *Resource Director*

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

June 6, 1991

**DOCUMENTS DEPT.****TO:** Economic and Social Policy Committee**FROM:** Budget Analyst**SUBJECT:** June 11, 1991 Economic and Social Policy Committee MeetingJUN 10 1991  
SAN FRANCISCO  
PUBLIC LIBRARYItem 2 - File 124-91-3

1. Ordinance amending the Traffic Code, by amending Section 32.8.7, to remove the parking facility at 50 Bartlett Street from the list of those off-street parking sites on which parking meters may be used.

2. The Board of Supervisors previously approved legislation (File 47-91-7) adopting Mission-Bartlett parking facility legal documents and authorizing the lease of the parking facility. Under the terms of the lease, the lessee is required to convert the facility from an unsecured metered parking facility to a secured attended parking facility.

3. The lease agreement will provide for hourly parking at a rate of 50¢ per hour, with a maximum of \$5.00. The overnight rate will be \$3.00 and monthly parking for local employees and residents will be \$60.00. Mr. Kevin Hagerty of the Parking and Traffic Department estimates that the operation of the Mission-Bartlett parking facility, as a secured attended parking facility, will generate City Parking Tax revenues of between \$50,000 to \$60,000 per year and would earn lease revenues for the General Fund of between \$40,000 to \$50,000 per year. Of the \$50,000 to \$60,000 estimated to be received in Parking Tax revenues to the City, most of the revenues would be allocated to the General Fund and a smaller portion would be allocated to the Commission on Aging on a formula basis.

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4. The following summary compares revenues and expenses under the unsecured parking meter operations with the revenues under the lease operation:

	Current Parking Meter <u>Operation</u>	Proposed Leased <u>Operation</u>	General Fund <u>Revenues</u>	Off-Street Parking Fund <u>Revenues</u>	Commission on Aging <u>Revenues</u>
Parking Meter Revenues	\$100,000	-	\$60,000	\$40,000	-
Expenses	(44,000)	-	-	(44,000)	-
Parking Tax Revenues	-	\$50,000 to \$60,000	\$37,500 to \$45,000	-	\$12,500 to \$15,000
Lease Revenues	-	\$40,000 to \$50,000	\$40,000 to \$50,000	-	-

5. The proposed ordinance would amend Section 32.8.7 of the Traffic Code to remove the Mission-Bartlett parking facility from the list of those off-street parking sites where meters may be used, in order to permit the site to be used as a secured attended parking facility.

**Comment**

According to Mr. Hagerty, approximately 347 parking meters would be removed from the Mission-Bartlett parking facility at the beginning of October, 1991. The meters will be removed by the Department of Parking and Traffic Parking Meter Maintenance Division and the cost for removal of the meters will be absorbed in the Department's ongoing budget. The meters will be added to the Department's inventory to be used as back-up meters and for new sites that require meters.

**Recommendation**

Approve the proposed ordinance.

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Item 10 File 107-91-3

**Department:** Department of Social Services (DSS)

**Item:** Resolution approving and authorizing the submission of the update of the 1991-92 Greater Avenues to Independence (GAIN) plan.

**Description:** The GAIN Program was created by Assembly Bill 2580 in 1985 to provide employment and training to all able adult recipients of Aid to Families with Dependent Children (AFDC) benefits. Most California counties submitted their GAIN Program plans to the State in September of 1987. The State and Federal Government provide 100 percent of the funding for the GAIN Program.

The San Francisco GAIN Program began service in November of 1988 with an initial goal of serving 1,500 clients by the end of FY 1988-89 and 3,000 clients by the end of FY 1989-90. As of July 31, 1989, the GAIN Program has served a total of 2,500 clients. DSS now serves approximately 1,250 clients.

As required by the State of California's Department of Social Services (SDSS), counties must annually review and update their currently approved county GAIN plans. The proposed resolution would approve and authorize the submission to the SDSS of San Francisco's updated annual GAIN plan.

The Job Opportunities and Basic Skills (JOBS) Program requires that any family on AFDC with children three years or older must participate in the GAIN Program. The original GAIN legislation specified families with children six years or older. JOBS also requires that childcare services be given to families with children 13 years or younger, while the original GAIN legislation specified 12 years or younger. These two requirements have resulted in greater program expenditures on childcare. In addition, the JOBS Program specified target groups to whom GAIN services should be provided. These target groups are:

- Parents who are 24 years or younger and do not have a high school diploma and are not enrolled in high school, or who have little or no work experience.
- Families on AFDC whose youngest child is within two years of being ineligible for AFDC benefits.
- Families that have received AFDC continuously for 36 of the last 60 months immediately preceding the most recent month for which application has been made.

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- High school dropouts whose parent(s) are participating in the GAIN Program.

San Francisco's updated GAIN plan includes a review of the Program goals and objectives, participant needs assessment, child care needs assessment, labor market needs assessment, an inventory of available services/unmet service needs, and a description of how services are delivered. DSS formulated a set of goals and objectives and has revised and added to these goals and objectives for FY 1991-92 as follows:

- 1) Upgrade and improve staff morale and work performance. The DSS intends to accomplish this goal through team building efforts such as informing staff of their responsibilities and improving communication between the various levels of staff.
- 2) Build a more effective, cohesive and productive relationship with the existing service delivery areas.
- 3) Improve services to GAIN participants through the following activities: 1) maintenance of a case load of 1,300 active participants, 2) establishing exit criteria for Adult Basic Education (ABE) and English as a Second Language (ESL) participants, 3) coordinating and working closely with the Private Industry Council (PIC) and its subcontractors to set up a referral system, 4) revitalizing the concurrent enrollment activity once it is approved by the State Department of Social Services, especially for bilingual participants, 5) reestablishing PREP (internships) activities in conjunction with other City Departments such as the Department of Public Health, and 6) exploring the feasibility of small cottage industry (small proprietorships) as an option for GAIN registrants interested in self-employment.
- 4) Jobs legislation designates certain high priority target groups within the AFDC population to be served by GAIN. Regulations further specify that AFDC recipients who request admission to the GAIN Program (i.e. volunteers) also be given priority registration. The Department advises that due to budget restraints, it is expected that only volunteers from the target groups will be served during the coming year.

The current annual budget for the San Francisco GAIN Program is approximately \$4.2 million and, as previously noted, is entirely funded through Federal and State sources. DSS reports that the proposed budget for FY 1991-92 is approximately \$400,000 or 9.5 percent less than the current fiscal year budget or from \$4.2 million to \$3.8 million. Ms. Dorothy Chen of DSS projects that the maximum number of clients that the Department will be able to serve at one time given a funding level of \$3.8 million is 1,300.

Ms. Chen reports that childcare comprises one-third of the proposed \$3.8 million budgeted for the GAIN Program for 1991-92 or approximately \$1.25 million.

DSS has compiled a listing of the existing vocational education and training programs that provide services to GAIN participants. In addition, DSS explored the availability of transportation services since 83 percent of AFDC recipients surveyed indicated that they would rely on public transportation to participate in the GAIN Program.

**Comments:**

1. From July to December of 1990, 60 GAIN participants have been placed in various unsubsidized positions throughout the public and private sector. In total, 500 GAIN participants have been placed in positions since the Program's inception in November of 1988. 1,300 are still in various stages of the Program and 700 have dropped out. According to State statistics, San Francisco County has the highest average hourly starting wage of \$9.27 per hour.
2. The County GAIN plan has been approved by the GAIN Technical Advisory Committee and the Social Services Commission.
3. Ms. Chen advises that all of the GAIN Program participants are in the program voluntarily.

**Recommendation:** Approve the proposed resolution.

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Items 11 and 12 - Files 116-91-1 and 116-91-1.1

**Department:** Public Works  
Bureau of Building Inspection

**Items:**

1. Resolution endorsing changes and providing findings as to the local conditions requiring changes of the State Electrical Code for buildings, as required by California Health and Safety Code (File 116-91-1).
2. Ordinance repealing Part II, Chapter III, of the San Francisco Municipal Code (Electrical Code); adopting in its entirety a new San Francisco Electrical Code (File 116-91-1.1).

**Description:** Every three years, the California Legislature adopts a State Electrical Code, which is based upon the most recent version of the National Electrical Codes. Local jurisdictions are given 180 days from the official publication date in which to either amend or adopt the State Electrical Code. Failure of a local jurisdiction to amend the State Electrical Code within the 180 days results in the imposition of the State Electrical Code at the local level.

The official publication date of the 1990 State Electrical Code is January 1, 1991. Accordingly, if San Francisco wishes to continue its policy of local amendments to the State Electrical Code, it must file with the State Building Standards Commission by July 1, 1991, a new San Francisco Electrical Code with express findings that such modifications or changes are reasonably necessary because of local climatic, geological or topographical conditions.

The subject resolution (File 116-91-1) provides findings on the need for modifications to the State Electrical Code. These findings pertain primarily to the crowded conditions found in the City and the special fire hazards that exist as a result of those crowded conditions. The subject resolution also endorses the City's proposed changes to the State Electrical Code (File 116-91-1.1).

The subject ordinance (File 116-91-1) would repeal the current San Francisco Electrical Code, which includes San Francisco's amendments to the 1987 National Electrical Code. The proposed 1991 San Francisco Electrical Code consists of San Francisco's amendments to the 1990 State Electrical Code. In some cases, the San Francisco amendment may have been a minor change, such as changing "building official" to "Superintendent"; in other cases, the San Francisco amendment is substantive.

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According to Mr. Steven Young of the Bureau of Building Inspection, the proposed 1991 San Francisco Electrical Code, like the current San Francisco Electrical Code, contains all State and local regulations enforced by and requiring permits from the Bureau of Building Inspection integrated into one source. Therefore, it will not be necessary for the user to go to three different sources -- the National Electrical Code, Title 24, Part 3 of the California Code of Regulations, and the local amendments contained in the San Francisco Electrical Code -- to determine San Francisco's requirements.

Mr. Young also states that the proposed 1991 San Francisco Electrical Code incorporates the comments of all interested individuals and organizations who expressed an interest in providing input, such as the San Francisco Electrical Contractors Association. San Francisco's Bureau of Fire Prevention was also an active participant in the review and development of the proposed 1991 Electrical Code. The first draft was circulated to all interested parties in April, 1991. Subsequent to that circulation, revisions were made based on comments that the Bureau felt were appropriate.

Should the City fail to amend the State Electrical Code, make appropriate findings, and meet the State-mandated filing deadline, San Francisco would be subject to the State Electrical Code without local amendments. This would result in elimination of provisions contained in the current San Francisco Electrical Code which are unique to San Francisco, such as: local requirements necessitated by San Francisco's unique climate and architectural heritage, and its limited land area.

**Comment:** Mr. Young reports that the changes in the proposed new San Francisco Electrical Code have an insignificant or no fiscal impact.

**Recommendations:**

1. Approve the proposed resolution (File 116-91-1) which provides findings on the need to City modifications to the State Electrical Code.
2. Approve the proposed Ordinance (File 116-91-1.1) which repeals Chapter III of the San Francisco Municipal Code (Electrical Code) and replaces in its entirety a new San Francisco Electrical Code.

Items 13, 14 and 15 - Files 171-91-5, 171-91-6 and 171-91-7

### **File 171-91-5**

The proposed resolution would urge the City Attorney to seek injunctive relief to prohibit Caltrans from retrofitting the Central Freeway, and urge the City Attorney, to investigate potential State and Federal Clean Air Act violations.

According to Mr. John Cooper of the City Attorney's Office, if the City Attorney decided to comply with the proposed resolution, the process for seeking an injunction would be as follows: The City Attorney would gather evidence to show that the City would be irreparably harmed if the Central Freeway was retrofitted as planned. Gathering evidence would include requesting that the California Department of Transportation (Caltrans) release all information pertaining to the project, such as seismic and geotechnical studies or air quality and noise reports. Caltrans would have 10 days to respond to these requests, either by refusing them and providing reasons for that refusal, or by providing the information. Mr. Cooper reports that the City Attorney would not expect Caltrans to refuse the requests, since the reports are a matter of public record. According to Mr. Cooper, the City Attorney may need to hire consultants (one seismic and geotechnical, one air quality, and possibly one noise impact analyst) to analyze and write conclusions regarding the reports. This would provide the City with independent evidence on environmental issues.

If the evidence indicated that retrofitting would do irreparable harm, the City Attorney would file a complaint requesting a Temporary Restraining Order or Preliminary Injunction to halt funding for the project, or to halt demolition and retrofitting. The lawsuit could be filed against either the State, the Federal government, or both. The Court would determine whether (1) the Federal Highway Administration followed proper procedures under the National Environment Policy Act (NEPA); (2) Caltrans properly analyzed the project under NEPA; and (3) whether the City made a sufficient showing of irreparable harm to be granted an injunction.

### **Comments**

1. Mr. Cooper reports that the amount of time this process will take depends on a number of factors, such as the types and complexity of Caltrans' reports, whether the City Attorney would decide, based on those reports, to conduct its own studies, and court schedules.

2. Mr. Cooper reports that the cost of seeking injunctive relief to prohibit the retrofitting and investigating Clean Air Act violations could be well over \$100,000, not including indirect costs and salaries for City Attorney employees. Costs would include hiring consultants and court fees. Mr. Cooper further reports that precise estimates cannot be made since such costs will depend on the consultants' fees, the number and complexity of reports, whether the City Attorney decides to conduct its own studies, and the amount of time spent.

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3. Investigation of potential State and Federal Clean Air Act violations will be included in the gathering and analysis of Caltrans reports.

### Recommendation

Approval of the proposed resolution is a policy matter for the Board of Supervisors.

### File 171-91-6

The proposed resolution would urge the Federal Highway Administration (FHWA) to withhold funding for the Central Freeway retrofit project until alternatives that might be more environmentally sound and safety oriented are fully explored. The resolution would also urge Caltrans to comply with the Board of Supervisors previously approved resolution of April 15, 1991 (File 171-91-3) requesting that Caltrans prepare an Environmental Impact Report prior to beginning any work on the Central Freeway.

### Comments

1. According to Mr. Rye Inoue of Caltrans, the cost of demolishing the upper deck and retrofitting the lower deck of the Central Freeway is estimated at \$49 million. Mr. Inoue asserts that no estimates for demolishing and building a new freeway section have been made, but that the cost of building a new freeway would be significantly higher than retrofitting and repair. Mr. Glen Clinton of the Federal Highway Administration (FHWA) reports that the FHWA will provide no more than \$40 million from the Earthquake Relief fund toward the Central Freeway project. However, should Caltrans choose a more expensive alternative, additional FHWA funds could be made available from other sources, such as Minimum Allocation Funds, according to Mr. Clinton.

2. Mr. Inoue reports that Caltrans has made no change in plans based on the Board of Supervisors request that an Environmental Impact Report be completed prior to beginning the project. Demolition of the upper deck is scheduled to commence by the first week of July 1991, and be open for traffic approximately one year later in July of 1992. According to Mr. Jim Siebe of the Construction Department at Caltrans, safety standards have been tightened due to the recent collapse of two sections of the Embarcadero Freeway. New safety standards include requirements for additional restraints. All past contract bids have been rejected, and the contract has been sent out to bid again. Mr. Inoue asserts that this will not delay the projected starting date. Repairs to the Freeway would continue beyond July 1992 for an undetermined amount of time. The retrofitting of the lower deck will commence after the demolition of the upper deck has been completed, contingent upon FHWA approval.

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3. The FHWA approves projects in part based on environmental impact clearance per the NEPA. According to that Act, structures which are being repaired or improved may be exempt from Environmental Impact Reports if no major changes, such as increased capacity, are made to the structure. The FHWA has determined that only the demolition of the Central Freeway is exempt according to this rule, and has approved funding for demolition only. The proposed resolution would request that the FHWA withhold funding for retrofitting and repair until a full Environmental Impact Report is prepared. The FHWA is already withholding funds for retrofitting and repair pending satisfactory Air Quality and Noise Control reporting from Caltrans.

4. Ms. Barbara Sahm, Environmental Review Officer for the City, states that since carbon monoxide is heavier than air, the amount of carbon monoxide at ground level will be equal for the proposed four lanes at one level as for the previous two above and two below. Ms. Sahm reports that noise levels may increase, but that concrete walls to protect the neighborhood from noise could be constructed. Ms. Sahm further reports that no residential disruption and some business disruption may occur as a result of construction. Ms. Sahm advises that since the impact of construction on the environment is temporary, it will not be a factor in prohibiting Caltrans from continuing with the project.

5. According to Mr. Clinton, the role of the FHWA is that of grantor only, and Caltrans is the owner of the freeways and the exclusive executor of this project. Mr. Clinton stated that unless Caltrans has broken specific laws or regulations, the FHWA would not withhold funds from Caltrans.

### Recommendation

Approval of the proposed resolution is a policy matter for the Board of Supervisors.

### File 171-91-7

The proposed hearing would consider Caltrans' plans to partially demolish and repair the Central Freeway.

The Central Freeway has been closed to traffic since the October 17, 1989 Loma Prieta Earthquake. The Central Freeway currently has an upper deck with two Southbound lanes, and a lower deck with two Northbound lanes. The Southbound on-ramp is located at the intersection of Turk Street and Gough Street, and the Northbound off ramp is located on Franklin Street. The California Department of Transportation (Caltrans) reports that current plans include demolishing the upper deck of the Central Freeway between Hayes Street and Turk Street, retrofitting the lower deck, and rebuilding the existing ramps and demolishing the upper and lower decks and building a new four-lane lower deck between Page and Hayes and between Ash and Franklin Streets. The proposed

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retrofitted lower deck would have four lanes of traffic, two lanes in each direction, with a concrete median strip separating the two lanes of traffic moving in opposite directions. Caltrans proposes to use its existing right of way on the lower deck, without expanding the width of the Freeway. The existing on and off ramps would remain in the same locations. All costs for Caltrans' proposed plan would be absorbed by Caltrans and the Federal Highway Administration.

The current double-deck Central Freeway is similar in design and construction to the Embarcadero Freeway, and the Cypress section of the Nimitz Freeway, which were significantly damaged during the October 17, 1989 earthquake. Mr. Rye Inoue of Caltrans reports that the proposed retrofitted Central Freeway would meet State structural design criteria for earthquake resistance. However, other alternatives may also meet these safety criteria and may better meet the transportation needs of the City.

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Item 16 - File 15-91-6

1. This item is a proposed draft ordinance that would amend Part II, Chapter VIII, Article 16, Section 1135 of the San Francisco Municipal Code (Police Code) to increase the rates of fare for taxicabs by approximately twenty percent above current rates, less the fifty cent temporary rate increase that was enacted by Ordinance No. 383-90.

2. In June of 1986, the Board of Supervisors adopted the current taxicab rate schedule (File 121-85-14) as follows:

Flag Drop	\$1.40
Rate Per 1/6 Mile	.25
Traffic Delay and Waiting Time Per Hour	15.00 (\$0.25 per minute)

In addition, the rate for out-of-town taxi trips beyond 150 miles from the San Francisco border is 150 percent of the meter rate.

3. In November, 1990, the Board of Supervisors approved an emergency measure (Ordinance No. 383-90) to impose a temporary fare surcharge to increase the flag drop rate \$.50 from \$1.40 to \$1.90 without changing the gate fee charged by the taxicab companies to the taxicab drivers for six months. This increase was imposed due to the sudden and drastic rise in gasoline costs which threatened to reduce the level of taxicab service below that which the Board of Supervisors deems adequate. At its meeting of June 3, 1991, the Board of Supervisors approved for second reading an ordinance that would extend the termination date of the temporary fare surcharge by 60 days (File 15-90-7).

4. The Controller is responsible for requiring that the taxicab companies provide financial statements and data to the City in order that the Controller can review the industry's financial information relative to the City's rate of fares for taxicabs. In April of 1991, the Controller issued a report on taxicab operations in the City. The Controller's report evaluated financial and operating data of the taxi industry and recommended an across the board fare increase of approximately 20 percent. The Controller further recommended that the \$.50 temporary fare surcharge previously approved by the Board of Supervisors be replaced by the proposed 20 percent fare increase.

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5. This proposed draft ordinance would increase taxicab fares by approximately 20 percent as follows:

	<u>Current</u>	<u>Proposed</u>	<u>Percent Increase</u>
Flag	\$1.40 first 1/6 mile	\$1.70 first 1/6 mile	21.4%
Mileage	\$0.25 per 1/6 mile	\$0.30 per 1/6 mile	20.0%
Traffic delay and waiting time	\$0.25 per minute	\$0.30 per minute	20.0%

6. Based on the above proposed rates, the calculated cost for the first mile and subsequent miles, as well as waiting time, would change as follows:

	<u>Current</u>	<u>Proposed</u>	<u>Percent Increase</u>
First Mile	\$2.65	\$3.20	20.8%
Subsequent Mileage (per mile)	\$1.50	\$1.80	20.0%
Traffic delay and waiting time	\$15.00 / hour	\$18.00 / hour	20.0%

Comments

1. It should be noted that, except for the Controller's recommended increase for subsequent mileage, the San Francisco Taxicab Association agrees with the recommendations of the Controller. The Taxicab Association has suggested a rate of \$1.90 per mile for subsequent miles, which is \$.10 greater than the \$1.80 per mile recommended by the Controller. According to the Taxicab Association, the additional \$.10 would be sufficient to cover current operating costs and future anticipated cost increases.

2. The Controller's report on Taxicab operations also notes that presently a taxi ride to or from the San Francisco Airport and a downtown hotel can cost between \$22.00 and \$24.00 for a maximum of five riders. The proposed taxicab rate increase would increase the cost of a taxi ride to between downtown and the Airport to approximately \$30.00.

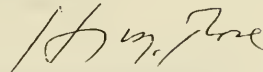
3. The proposed draft ordinance would increase the taxicab rates, as reflected above. These rates do not include the additional \$.50 temporary fare surcharge that is currently in effect, and that has been extended for an additional 60 days.

4. Mr. Burk Delventhal of the City Attorney's Office reports that the proposed draft ordinance has been approved as to form by the City Attorney's Office.

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**Recommendation**

Approval of the proposed ordinance is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board  
Legislative Policy Analysts  
Chief Administrative Officer  
Controller  
Sam Yockey  
Ted Lakey

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



SF  
S90.22  
#3  
6/11/91

CALENDAR

MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, JUNE 11, 1991 - 2:00 P.M.

LEGISLATIVE CHAMBERS  
2ND FLOOR, CITY HALL

MEMBERS: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

ABSENT: SUPERVISOR ALIOTO - ITEM 1  
SUPERVISOR MIGDEN - ITEM 9

CLERK: KAY GULBENGAY

DOCUMENTS DEPT.

JUN 11 1991

CONSENT CALENDAR

SAN FRANCISCO  
PUBLIC LIBRARY

1. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Economic and Social Policy Committee, and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or a member of the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item:

- (a) File 40-91-5. [Parking of Vehicles] Resolution extending the boundaries of residential permit Parking Area "S" in the Duboce triangle and adding to the list of streets 18th Street, between Noe Street and Sanchez Streets, south side; and Noe Street, between 18th and 20th Streets, both sides upon which time limitations shall apply. (Department of Parking and Traffic)

ACTION: Recommended.

REGULAR CALENDAR

2. File 124-91-3. [Parking Meters] Ordinance amending Traffic Code by amending Section 32.8.7 thereof, to remove the parking facility at 50 Bartlett Street from those off-street parking sites on which parking meters may be used. (Department Parking and Traffic)

ACTION: Hearing held. Recommended.





3. File 214-91-1. [Sister City] Resolution urging the Mayor to establish Sister City between San Francisco, California and Las Vueltas, El Salvador. (Supervisors Gonzalez, Ward, Shelley, Britt, Kennedy, and Hallinan)  
(Continued from 5/30/91)

ACTION: Hearing held. Amendment of the whole (as presented by Supervisor Gonzalez) adopted.

Entitled: "Urging the Mayor to establish a Friendship-Solidarity City between San Francisco, California and Las Vueltas, El Salvador."  
Recommended.

4. File 36-91-4. [Final Negative Declaration] Resolution adopting Final Negative Declaration, finding and determining that construction of a mixed use development consisting of a 42 unit condominium project of eight stories, and remodeling and enlarging the Chinatown YMCA to accommodate a new gym, pool, childcare facilities and approximately 2,000 square feet of residential space requiring reclassification of property from a C-3-G (Downtown Commercial, General) District to CRNC (Chinatown Residential Neighborhood Commercial) District at 750 California Street, Lots 7 and 10 in Assessor's Block 242 and reclassification of property from a 50-N Height and Bulk District at a 65-A Height and Bulk District at 855 Sacramento Street, Lot 27 in Assessor's Block 242 will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration. (Department of City Planning)

ACTION: Hearing held. Amended (in title) on line 2 by replacing "42" with "49".

New Title: "Adopting Final Negative Declaration, finding and determining that construction of a mixed use development consisting of a 49 unit condominium project of eight stories, and remodeling and enlarging the Chinatown YMCA to accommodate a new gym, pool, childcare facilities and approximately 2,000 square feet of residential space requiring reclassification of property from a C-3-G (Downtown Commercial, General) District to CRNC (Chinatown Residential Neighborhood Commercial) District at 750 California Street, Lots 7 and 10 in Assessor's Block 242 and reclassification of property from a 50-N Height and Bulk District at a 65-A Height and Bulk District at 855 Sacramento Street, Lot 27 in Assessor's Block 242 will have no significant impact on the environment, and adopting and incorporating findings of the Final Negative Declaration."  
Recommended as amended to Board on Monday, June 24, 1991.



5. File 36-91-4.1. [Zoning Map Change] Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property located on California Street at Sabin Place from a C-3-G District to CRNC District and adopting changes in the Height and Bulk Classification as an amendment to the Zoning Map of the City and County of San Francisco for property located on Sacramento Street between Stockton and Grant Streets from a 50-N to a 65-A District. (Department of City Planning)

(Approved by City Planning Commission Resolution No. 13062.)

ACTION: Hearing held. Amendment of the whole (as presented in committee) adopted.

New Title: "Adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco for property located on California Street at Sabin Place from a C-3-G District to CRNC District and adopting changes in the Height and Bulk Classification as an amendment to the Zoning Map of the City and County of San Francisco for property located on Sacramento Street between Stockton and Grant Streets from a 50-N to a 65-A District and adopting findings pursuant to Section 101.1."

Recommended to Board on Monday, June 24, 1991.

6. File 115-91-7. [City Planning Code Amendment] Ordinance amending City Planning Code, by amending Section 188 of Article 1.7, to permit enlargement of lawful non-complying structures located on a landmark site or an architecturally significant building site and contributory buildings within historic or conservation districts, and allow the alteration of exterior facades, rooftop features or life safety/mechanical/environmental control systems for non-complying buildings in the C-3 Districts. (Department of City Planning)

(Approved by City Planning Commission Resolution No. 13019.)  
(General Rule Exemption from Environmental Impact Review.)

ACTION: Hearing held. Amendment of the whole (as presented in committee) adopted.

New Title: "Amending City Planning Code, by amending Section 188 of Article 1.7, to permit enlargement of lawful non-complying structures located on a landmark site or an architecturally significant building site and contributory buildings within historic or conservation districts, and allow the alteration of exterior facades, rooftop features or life safety/mechanical/environmental control systems for non-complying buildings in the C-3 Districts and adopting findings pursuant to Planning Code Section 101.1."

Recommended.



7. File 36-91-2. [Zoning Map Change] Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 515-519 Ellis Street, southwest corner with Cohen Place, Lot 28A, Assessor's Block 334 from an RC-4 (Residential Commercial Combined, High Density) District and the North of Market Residential Special Use District to an RC-4 (Residential Commercial Combined, High Density) and North of Market Residential Special Use District and the Cohen Place and Ellis Street Affordable Housing Special Use District, and adopting findings pursuant to Planning Code Section 101.1. (Department of City Planning) (Companion measure to File 81-91-1.)

(Approved by City Planning Commission Resolution No. 13059.)  
(General Rule Exclusion from Environmental Impact Review.)

ACTION: Hearing held. Recommended.

8. File 81-91-1. [Special Use District] Ordinance amending City Planning Code by adding Section 249.11 to create an Affordable Housing Special Use District at Cohen Place and Ellis Street and finding consistency with Planning Code Section 101.1. (Supervisor Ward) (Companion measure to File 36-91-2.)

(Approved by City Planning Commission Resolution No. 13060.)

ACTION: Hearing held. Recommended.

9. File 90-91-2. [Landmark] Designating the Path of Gold Light Standards (1 Market Street through 2490 Market Street, 327 lights as a landmark pursuant to Article 10 of the City Planning Code. (Department of City Planning)

Approved by City Planning Commission Resolution No. 13049.)  
(Categorically exempt from Environmental Impact Review.)

ACTION : Hearing held. Recommended.

10. File 107-91-3. [GAIN Program] Resolution approving and authorizing submission of 1991-92 Annual Update of the San Francisco Plan for the Greater Avenues for Independence (GAIN) Program to the State Department of Social Services. (Department of Social Services)

ACTION: Hearing held. Recommended.

11. File 116-91-1. [Electrical Code] Resolution endorsing those changes and providing findings as to the local conditions requiring changes of the State Electrical Code for building, as required by California Health and Safety Code; companion measure to File 116-91-1.1. (Department of Public Works).

ACTION: Hearing held. Recommended.





12. File 116-91-1.1. [Electrical Code] Ordinance repealing Part II, Chapter III of the San Francisco Municipal Code (Electrical Code); adopting in its entirety a new San Francisco Electrical Code; companion measure to File 116-91-1. (Department of Public Works).

ACTION: Hearing held. Recommended.

13. File 171-91-5. [Central Freeway] Resolution urging the City Attorney to seek injunctive relief to prohibit Caltrans from retrofitting the Central Freeway; urging the City Attorney to investigate potential State and Federal Clean Air Act violations. (Supervisors Maher and Gonzalez)

ACTION: Hearing held. Recommended.  
(Supervisors Alioto and Kennedy added as co-sponsors.)

14. File 171-91-6. [Central Freeway] Resolution urging the Federal Highway Administration to withhold funding the Central Freeway retrofit project until a full environmental assessment is completed. (Supervisors Maher and Gonzalez)

ACTION: Hearing held. Amended (See File for details.)

New Title: "Urging the Federal Highway Administration to withhold funding the Central Freeway retrofit project until a full environmental assessment is completed; urging the California Transportation Commission to hold a hearing in San Francisco."  
Recommended as amended. (Supervisors Alioto and Kennedy added as co-sponsors.)

15. File 171-91-7. Hearing to consider Caltrans plans to partially demolish and repair the Central Freeway. (Supervisors Gonzalez and Maher)

ACTION: Hearing held. Filed.

16. File 15-91-6. [Taxi Rate Increase] Draft ordinance amending Police Code by amending Section 1135 to increase the rates of fare for taxicabs by approximately twenty percent above current rates, less the fifty cent temporary rate increase that was enacted by Ordinance No. 383-90. (Supervisor Migden)

ACTION: Hearing held. Ordinance approved as to form presented in committee.

Entitled: "Amending Part II, Chapter VIII, Article 16 of the San Francisco Municipal Code (Police Code), by amending Section 1135 to increase the rates of fare for taxicabs by approximately twenty percent above current rates, less the fifty cent temporary rate increase that was enacted by Ordinance 383-90."  
Recommended. (Supervisors Alioto and Kennedy added as co-sponsors.)



**BOARD OF SUPERVISORS****BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

June 11, 1991

**DOCUMENTS DEPT.**

JUN 12 1991

**SAN FRANCISCO  
PUBLIC LIBRARY****TO:** Economic and Social Policy Committee**FROM:** Budget Analyst - *Recommendations***SUBJECT:** June 13, 1991 Special Economic and Social Policy Committee MeetingItem 1 - File 205-91-1

This item is a hearing to consider the Final Environmental Impact Statement (FEIS) for the closure of the Presidio Army Base of San Francisco and its impact on the community.

The 1,487 acre Presidio of San Francisco, located at the tip of the San Francisco peninsula overlooking the Golden Gate, is a national historic landmark. The Presidio has been under the control of the U.S. Army since 1776. The Army, in accordance with the Federal Base Closure and Realignment Act of 1988, is scheduled to have completely evacuated the base by September of 1995. Within 30 days of the final date for public comments on the Final Environmental Impact Statement which is June 17, 1991, the Army Corps of Engineers will publish its Record of Decision. Troops may begin to be transferred at any time after publication of the Record of Decision. The Presidio will then come under the control of the Department of the Interior (DOI) as part of the Golden Gate National Recreation Area (GGNRA), as mandated by the Burton Act of 1972.

Mr. Robert Verkade of the Army Corps of Engineers reports that the Army has done a complete Environmental Impact Statement (EIS) in conformance with the National Environmental Policy Act (NEPA), which includes information on the impact of the closure on the local environment and economy. Ms. Barbara Sahm of the Planning Staff reports that the Planning Commission held an informational hearing to receive comments on the EIS. According to Ms. Sahm, ten to twelve members of the public testified, including representatives from People for Golden Gate National Recreation Area, the Arms Control Research Center (ARC), and the Presidio neighborhood, all of whom indicated dissatisfaction with the adequacy of the EIS. The Army is also engaged in a

remedial investigation/feasibility study, which will include collecting and analyzing information on potential hazardous waste, asbestos, and underground tanks, and evaluating alternatives for environmental remediation, Mr. Verkade states.

Mr. Verkade states that the Army has identified a number of areas of concern to the City, as follows: First, the City may lose emergency fire protection due to the Presidio military fire department's closure. Second, the possible downsizing of the Letterman Hospital (which provides care primarily to Department of Defense retirees in the Bay Area) from a complete medical center with trauma care to a 100 bed hospital may strain the City's medical centers. In addition, Letterman Hospital employs ambulance technicians who are not trained to prioritize patients to maximize the number of survivors, which may cause confusion in San Francisco emergency rooms if these ambulances bring patients to City hospitals where traditionally patients are prioritized by trained ambulance paramedics. Third, the Presidio has its own water services, including two wells and a stream, which are separate from City water. If the DOI and the Army do not reach an agreement quickly regarding water use in the Presidio, the Army would probably shut down its water supply systems as the base is vacated, which would cause the system to deteriorate. The water treatment plants will also need to be upgraded in conformance with new environmental laws. The City and the Presidio currently buy and sell water from each other based on need. The City will need to reach a new agreement with the DOI regarding mutual water use, and may be affected if the Presidio's water systems deteriorate through lack of use or need to be upgraded. Fourth, the Presidio's approximately 1,000 buildings, approximately 450 of which are historical landmarks, may not be immediately occupied following the departure of Army personnel. This may result in reduced need of supplies and services provided by vendors outside the Presidio and consumed by base personnel. Also, the empty buildings may be occupied by squatters, which could cause safety problems and require the services of the City's Police Department. Finally, the Army projects that the closure of the base may impact San Francisco schools, since children from the base attend San Francisco public schools, which generates revenue for the SFUSD.

According to Mr. Verkade, the Army has several mechanisms for placing the Presidio's 3,400 civilian employees in new positions or compensating them for job loss. These include preferential treatment for local Department of Defense positions, placement services for other Federal government positions, early retirement plans, and substantial severance pay for those who decide to work in State or local government or the private sector. However, if the Presidio is not continuously occupied, the City will experience a loss of potential jobs and business income.



Mr. Verkade further reports that the Army Corps of Engineers has conducted a detailed analysis and enhanced assessment of hazardous waste in the Presidio, and that funds have been budgeted to pay for a complete restoration project. This would include removing all but 12 to 20 of the approximately 250 underground tanks, Mr. Verkade stated. Mr. Richard Lee of the San Francisco Department of Public Health reports that the DPH would oversee the removal of the tanks, which would take three to four hours of DPH personnel time per tank.

The Federal Base Closure and Realignment Act of 1988 states that the Army must take financial responsibility for environmental clean-up and restoration of bases which are closing. According to written comments from Congresswoman Nancy Pelosi's office, \$13,050,000 has been allocated from base closure funds to pay for the restoration of the Presidio. Mr. Verkade asserts that this will be sufficient for the Army's projected restoration costs. The Army Corps of Engineers has provided no specific budget or time line for repair and restoration of the Presidio. Mr. Michael Alexander of the Sierra Club reports that other estimates range from \$12 million to \$82 million. Disagreement exists as to the extent of clean up that needs to be done. Mr. Verkade states that the Army will restore the base to the classification of "fully protective of human health and the environment." Mr. Alexander reports that community and environmental groups advocate for restoration to the "unrestricted use" classification, the highest level of cleanliness.

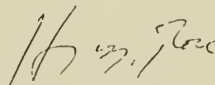
Mr. Verkade reports that the Base Closure and Realignment Act does not require that the Army bring the infrastructure up to any current standard. According to charts produced by the Army Corps of Engineers, in 1990 there was a \$17.7 million backlog in non-housing repair work, including but not limited to sewers, roads, electrical systems, and telephone systems. There was also a \$3.5 million backlog in housing repair work. Because the DOI is a mandated preservation organization, and because the Presidio is a national historic landmark, according to Mr. Alexander, these repairs will need to be made. However, comments from Congresswoman Pelosi's office indicate that the Army has not allocated funds for this purpose. According to Mr. Tad Russell of ARC, it is not clear who will pay the cost of renovating the Presidio's historical buildings.

Mr. Tom Gansbery of the Regional Water Quality Control Board reports that although the ground water in the Crissy Field Area of the Presidio is substantially contaminated and needs to be cleansed immediately, the ground water which supplies the Presidio's two wells and one stream are not contaminated by the activities of the base. Mr. Gansbery further reports that the Presidio's drinking water supply will be a tremendous resource for the City if it is not contaminated by San Francisco's Richmond-area gas stations and dry cleaners. According to Mr. Gansbery, because of the nature of San Francisco's topography, the Presidio's ground water apparently cannot contaminate San Francisco's ground water, but San Francisco businesses could adversely impact the Presidio's ground water. Mr. Gansbery asserts that State funds are available to the City and County to regulate underground storage tanks owned by local businesses.



Memo to Economic and Social Policy Committee  
June 11, 1991 Special Economic and Social Policy Committee Meeting

Mr. Alexander reports that it is important to resolve the issues of environmental clean up and infrastructure repair as soon as possible because without knowing the condition in which the Army will leave the Presidio, it is difficult to plan the Presidio National Park. For example, GGNRA is considering reclaiming Crissy Field, the most polluted area of the Presidio, as a marshland. According to Mr. Alexander, this would be possible only if the field is restored for unrestricted use. Restoration for normal human activity would be insufficient for this project. Mr. Alexander asserts that the Presidio National Park will be an important resource to the City because it will create jobs and could increase tourism by enhancing the Golden Gate, an international symbol of the San Francisco Bay Area.



Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board  
Legislative Policy Analysts  
Chief Administrative Officer  
Controller  
Sam Yockey  
Ted Lakey

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CALENDAR - Recommendation

SPECIAL MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

THURSDAY, JUNE 13, 1991 - 2:00 P.M.

LEGISLATIVE CHAMBERS  
2ND FLOOR, CITY HALL

MEMBERS: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

ABSENT: SUPERVISOR KENNEDY

CLERK: KAY GULBENGAY

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JUN 17 1991

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PUBLIC LIBRARY

1. File 205-91-1. Hearing to consider the Final Environmental Impact Statement (FEIS) for the closure of the Presidio Army Base of San Francisco and its impact on the community (hazardous and toxic waste, sewer and water lines on the site, etc.) (Supervisor Alioto)

ACTION: Hearing held. Resolution prepared in and reported out of committee (as presented by Supervisor Alioto.)

Entitled: "Urging the U.S. Army to provide the City and County of San Francisco with information on the costs and impacts of the closure of the Presidio."

Recommended to Board as a committee report on Monday, June 17, 1991.



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JUN 28 1991

SAN FRANCISCO  
PUBLIC LIBRARY

REGULAR MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, JUNE 25, 1991 - 2:00 P.M.

LEGISLATIVE CHAMBER  
2ND FLOOR, CITY HALL

PRESENT: SUPERVISORS MIGDEN AND ALIOTO

ABSENT: SUPERVISOR KENNEDY

ACTING CLERK: GAIL JOHNSON

1. File 40-91-6. [Parking of Vehicles] Resolution extending the boundaries of residential permit Parking Area "T" in the Forest Hill area and adding Lopez Avenue, between Castenada Avenue and Pacheco Street, both sides upon which time limitations shall apply. (Department of Parking and Traffic)

ACTION: Hearing held. Recommended.

2. File 115-91-4. [Service Station Conversions] Ordinance amending City Planning Code by adding Section 228 relating to converting property containing a gasoline service station to other uses and amending Public Works Code by deleting Article 15.1 relating to service station conversions. (Supervisor Hallinan)

(Approved, with amendments, by City Planning Commission  
Resolution No. 13101.)

(General Rule Exemption from Environmental Impact Review.)

ACTION: Hearing held. Amendment of the Whole adopted. New title: "Amending City Planning Code by adding Sections 228 through 228.5 thereto relating to converting property containing a gasoline service station to other uses; amending Public Works Code by deleting Article 15.1 thereof relating to service station conversions; and finding consistency with the priority policies set forth in City Planning Code Section 101.1." Recommended as amended.

3. File 178-90-1. Hearing to consider allegations by various security officers of discriminatory practices at the Fine Arts Museum. (Supervisor Kennedy)  
(Continued from 2/26/91)

ACTION: Continued to July 9, 1991, meeting, at the request of sponsor.



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CALENDAR  
REGULAR MEETING OF  
ECONOMIC & SOCIAL POLICY COM  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

SF Public Library (2)  
Document Section

TUESDAY, JULY 9, 1991 - 2:00 P.M.

ROOM 228, CITY HALL

MEMBERS: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

CLERK: KAY GULBENGAY

1. File 107-89-15. Hearing to consider procedures and regulations concerning foster children, including placement of these children outside of San Francisco and the ramifications of Senate Bill 1177 regarding adoption of children. (Supervisor Kennedy)  
(Continued from 2/12/91)

ACTION:

2. File 27-90-2. Hearing to consider the compliance of the Human Rights Commission and the Airport with the Local Minority/Women Business Enterprise ordinance. (Supervisor Kennedy)  
(Continued from 2/12/91)

ACTION:

3. File 178-90-1. Hearing to consider allegations by various security officers of discriminatory practices at the Fine Arts Museum. (Supervisor Kennedy)  
(Continued from 6/25/91)

ACTION:

4. File 36-91-6. [Final Negative Declaration] Resolution adopting Final Negative Declaration, finding and determining that reclassification from NC-2 (Small Scale) Neighborhood Commercial District to NC-3 (Moderate Scale) Neighborhood Commercial District for property located on Assessor's Block 6463, Lots 57 and 58, also described as 5199 Mission Street will have no significant impact on the environment, and adopting and incorporating findings of Final Negative Declaration; companion measure to File 36-91-6.1. (Department of City Planning)

(Approved by City Planning Commission Resolution No. 13034.)

ACTION:

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PUBLIC LIBRARY



5. File 36-91-6.1. [Zoning Map Changes] Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 5199 Mission Street, Lots 57 and 58, Assessor's Block 6463 from a NC-2 (Small Scale) Neighborhood Commercial District to a NC-3 (Moderate Scale) Neighborhood Commercial District; companion measure to File 36-91-6. (Department of City Planning)

(Approved by City Planning Commission Resolution No. 13033.)

ACTION:

6. File 55-91-1. [Bicycle Access On Golden Gate Bridge] Resolution recommending to the Golden Gate Bridge Highway and Transportation District that the bridge be open to bicycle riding 24 hours a day, 365 days a year. (Supervisor Ward)

ACTION:

7. File 151-91-1. [Northeastern Waterfront Survey Area] Resolution amending Resolution No. 141-77, designating and describing the Northeastern Waterfront Survey Area by adding real property to said survey area. (Redevelopment Agency)

ACTION:

ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
ROOM 235, CITY HALL  
SAN FRANCISCO, CALIFORNIA 94102

IMPORTANT  
HEARING NOTICE

CITY AND COUNTY



OF SAN FRANCISCO

**BOARD OF SUPERVISORS**

**BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

July 5, 1991

DOCUMENTS DEPT.

TO: Economic and Social Policy Committee

JUL 6 1991

FROM: Budget Analyst *recommendations*

SAN FRANCISCO  
PUBLIC LIBRARY

SUBJECT: July 9, 1991 Economic and Social Policy Committee Meeting

Item 1 - File 107-89-15

**Note:** This item was continued by the Economic and Social Policy Committee at its meeting of February 12, 1991.

This item is a hearing to consider the procedures and regulations concerning foster children, including the placement of foster children outside of San Francisco County, and to consider the effects of Senate Bill No. 1177 on the adoption of children.

The Department of Social Services (DSS) reports that it is DSS's policy to place children in homes as close to their own families as possible. However, DSS advises that San Francisco's foster children are placed outside of the County for various reasons as follows:

- (1) Placing a child in the most appropriate foster home, based on the child's individual needs, sometimes necessitates placing children outside of San Francisco.
- (2) Many of the African American foster families who originally lived in San Francisco have moved out of the City. In such cases, it is often times determined to be in the child's best interests to move with the foster family.
- (3) DSS uses African American home finding agencies which serve the entire Bay Area and many of their approved homes are located in other Counties.

- (4) The number of families that could potentially provide foster care in San Francisco is limited due to the high cost of housing in the City which makes it difficult for families to afford the type of housing required to provide foster care. The type of housing required is regulated by State licensing rules which stipulate that certain housing requirements be met. These requirements include but are not limited to restrictions on bedroom size, number of children who can sleep in a bedroom, number of exits, fire/security bars, and which floor that the children can sleep on.
- (5) Placing a child with relatives, which DSS considers a priority, sometimes requires placing the child outside of San Francisco. According to DSS, 51 percent of the children who are placed outside the County are placed with relatives who reside outside of San Francisco.

Senate Bill 1177, which was originally authored by Senator Royce, established conditions under which foster parents must be given consideration, along with other potential adoptive families, to become the adoptive parents of a foster child. The bill was drafted in response to a specific case involving a foster family that cared for a child with Down's Syndrome for 1 1/2 years. Children's Home Society (CHS), the agency in charge of the adoption proceedings, did not consider that foster family when it sought a permanent placement for the child. As a result, the foster family sued CHS.

DSS reports that a "corrected" version of SB 1177 was drafted to be known as Senate Bill 2188 (SB 1177 was withdrawn by the author in favor of the new, "corrected" version, SB 2188). The new SB 2188 specified that it does not pertain to dependent children of juvenile court cases, and since DSS handles only such dependent children of juvenile court cases, SB 2188 (which replaces SB 1177) did not apply to DSS. DSS reports that Senator Royce's staff advised DSS that Senator Royce believes current laws governing public adoption agency activities already sufficiently address the issue of foster parent adoption. SB 2188 was signed into law in 1990.

### Comments

1. DSS was unable to provide data to the Budget Analyst on the total number of children that are currently in placements within San Francisco and outside of San Francisco. However, Ms. Ann O'Rielly of DSS reports that a request has been made to the State Department of Social Services to provide this information, broken down by race and the number of children in different types of placements (i.e., foster homes, relatives and group homes).

2. Although DSS could not provide current or overall data, DSS reports that as of June, 1990, a total of 2,793 African American children were in placements outside of San Francisco County. Of the 2,793 children, 2,385 were placed in foster homes (including placement with relatives) and 408 were placed in group homes. Of the children placed in foster homes, the placement breakdown is as follows:

	<u>No. of Children</u>	<u>Percent of Children</u>
Foster Parents	1,100	46.1%
Relative	1,044	43.8%
Legal Guardian (Relative)	123	5.2%
Legal Guardian (Non-Relative)	<u>118</u>	<u>4.9%</u>
Total	2,385	100%

3. In addition, the DSS reports that it has made, and is continuing to make certain efforts to recruit more African American foster and adoptive families in San Francisco, as follows:

- (a) Effective November 27, 1989, DSS reassigned recruitment responsibilities to a new Assistant Director, with foster children knowledge and experience in recruiting, training, certifying and supervising prospective foster and adoptive families. DSS budgeted \$60,000 in its FY 1990-91 budget to be used by the Assistant Director for recruitment purposes. As of the writing of this report, DSS was unable to provide specific details on how this \$60,000 was expended. A \$400,000 Foster Care Reserve Fund was also established during 1990-91. DSS had proposed to develop a comprehensive recruitment plan for use of these reserve funds to increase the number of quality, culturally relevant foster homes in San Francisco and and to increase the number of homes available for children freed for adoption. As of the writing of this report, DSS was unable to provide specific information regarding the status of this recruitment plan.
- (b) DSS issued a RFP, on June 15, 1990, to contract with a community-based agency with demonstrable expertise in recruiting African American foster and adoptive families. DSS reports that, as a result of the RFP process, Naomi Gray and Associates and Calvin Jones Jr. and Associates were selected to provide recruitment services. Both contracts were for a six-month period ending December 31, 1990. The contract with Naomi Gray and Associates was in the amount of \$21,000 and the contract with Calvin Jones Jr. and Associates is in the amount of \$14,000. Naomi Gray and Associates is a MBE/WBE firm and Calvin Jones Jr. and Associates is a MBE firm. DSS advises that, under these two contracts, the goal was to recruit 500 African American foster parents by December 31, 1990. 300 of the total 500 foster parents were to be recruited by Naomi Gray and Associates and the remaining 200 were to be recruited by Calvin Jones Jr. and



Associates. According to DSS, the actual number of African American foster parents recruited under these two contracts was approximately 75 to 80.

- (c) A recruitment packet of brochures and other materials which is targeted to cultural and ethnic groups has recently been developed.
- (d) DSS continues to use the services of private placement agencies such as the Black Adoption Placement and Research Center. In addition, DSS has identified organizations such as churches, ministerial alliances, and Black employee groups which have access to potential African American foster and adoptive families.
- (e) DSS's recruitment staff participate in public events, the Annual Adoption Fair, street fairs, and community outreach activities at shopping malls and other public gatherings.

4. Foster care rates are set by the State. DSS advises that, based on a U.S. Supreme Court ruling, relatives are paid the same rate, to provide foster care, as are foster parents who are not relatives, providing that the child is eligible for Federal foster care funding. However under State law, relatives who provide foster care to children, who are eligible for County and/or State foster care funding only, cannot receive foster care funding for their services. However, these relatives would be eligible for AFDC. DSS reports that although a State bill to change this law was defeated last year, the Department is continuing to work with the State Legislature to get the law changed to provide that all relatives providing foster care would be eligible to receive the established foster care rate. The 1990-91 foster care rates for long term placement are outlined below:

<u>Age of Foster Care Children</u>	<u>Monthly Base Rate</u>	<u>Monthly Rates At</u>		
		<u>Level I*</u>	<u>Level II*</u>	<u>Level III*</u>
0-4	\$345	\$694	\$835	\$977
5-8	375	494	588	683
9-11	400	529	624	717
12-14	444	588	683	776
15-18	484	641	741	834

\*The level of payment above the base rate is determined by the specific foster child's special needs, as related to emotional, social, developmental or medical problems.

Item 2 - File 27-90-2

**Note:** This item was continued from the February 12, 1991 Economic and Social Policy Committee meeting.

1. This item is a hearing to consider the compliance of the Human Rights Commission and the Airport with the Local Minority/Women Business Enterprise Ordinance.

2. Section 12D.3 of the Minority/Women/Local Business Ordinance outlines the policy of the City as follows:

"It is the policy of the City to ensure full and equitable opportunities for Minority Business Enterprises, Women Business Enterprises and local businesses to participate as prime contractors in the provision of goods and services to the City. This program is intended to correct identified discriminatory practices inherent in the City's procurement process and in the award of prime contracts to MBE/WBEs and to develop their status and capability as prime contractors of the City."

3. Section 12D.4 of the Ordinance provides that MBE and WBE bid preferences of the Ordinance shall be afforded to economically disadvantaged minority and women-owned businesses subject to the following exemptions:

1. When the Director of the Human Rights Commission finds, with the advice of the contract awarding authority, that needed goods or services are available only from a sole source which is not an MBE or WBE, and the prospective contractor is not currently disqualified from doing business with the City, or from doing business with any governmental agency, based on a failure to comply with MBE/WBE; or contract compliance requirements.
2. If the contract awarding authority certifies in writing to the Director that (a) pursuant to the Administrative Code Section 6.30, the contract is necessary to respond to an emergency which endangers the public health or safety, and (b) there is no time to apply the bid preference and no MBEs or WBEs capable of performing the emergency work are immediately available, provided that the contract awarding authority certification was made prior to the Controller's contract certification.



4. Section 12D.14(E) of the ordinance requires that if the Director of the Human Rights Commission finds, after investigation, that a City Department in the process of awarding a contract(s) has deliberately failed to comply with the provisions of the ordinance, a written Finding of Noncompliance, specifying the nature of the noncompliance, must be transmitted to the City Department, the Commission, the Mayor and the Board of Supervisors. Additionally, the Director of the Human Rights Commission must attempt to resolve any noncompliance through conference and conciliation. If such efforts fail to resolve the noncompliance, the Director of the Human Rights Commission must transmit a copy of the Finding of Noncompliance, along with a finding that conciliation was attempted and failed, to the Human Rights Commission. The Human Rights Commission must notify the City Department to take appropriate action to secure compliance.

5. Certain allegations regarding the Airport's compliance with the Minority/Women Business Enterprise (MBE/WBE) Ordinance and with the Human Rights Commission's enforcement of that Ordinance have been made by various contractors and by the Commission's Contract Compliance Officer who monitors the Airport's contracts.

6. The Controller's Audits Division, at the request of the Board of Supervisors, conducted a limited scope review of construction contracts administered by the Airport's Facilities, Operations and Maintenance Division during the period of 1984 through 1990. That review sought to obtain specific information on the following issues:

- a. The process of awarding Contract No. 1952;
- b. A review as to whether Airport contracts advertised as federally funded were funded from the City's General Fund;
- c. Procedures used for awarding emergency contracts.

7. Based on that review, the Controller's Audits Division issued an audit report, dated May 4, 1990, entitled "Contracting Practices and Procedures at San Francisco International Airport." The Report's conclusions regarding the specific issues cited above are as follows:

The process of awarding Contract No. 1952

Our review disclosed that the awarding of the Contract No. 1952 was based on the HRC approval.

A review as to whether Airport contracts advertised as federally funded were funded from the City's General Fund

Our tests did not identify any Airport contract advertised and awarded as federally funded which in fact was funded by the City's General Fund.

Procedures used for awarding emergency contracts

Our tests indicate that there are procedures in place at the Airport in connection with emergency contracts that provide for participation by minority firms. However, it would be beneficial to have all the procedures involved in the processing of emergency contracts consolidated into a comprehensive checklist against which controls can be better monitored. Further, our tests indicate that the contract files are generally complete and that contracts are adequately monitored by the Facilities, Operations and Maintenance Division.

8. Attachment 1 is a letter from the Director of Airports to the Mayor pertaining to the Airport's 1988-89 MBE/WBE data.

9. Attachment 2, page one of three pages, is a summary of the Airport's MBE/WBE utilization report, as produced by the Human Rights Commission staff, for FY 1989-90. Pages two and three of Attachment 2 show more detailed MBE/WBE utilization information for the Airports Commission for FY 1989-90. Ms. Vicki Zemple of the Human Rights Commission has advised the Budget Analyst that these utilization figures do not include amounts that represent the participation of MBE/WBE firms in joint ventures with majority-owned firms because City departments, in general, did not submit that information.

10. Attachment 3 is a report from the Airports Commission to the Mayor's Office showing the Airports' utilization of MBE/WBE firms for the first six months of FY 1990-91.

11. The City Attorney's Office reports that at least one lawsuit and at least one administrative complaint have been filed relating to the Airport contracting issue.

January 19, 1990

Honorable Art Agnos  
Mayor  
City of San Francisco  
Room 200, City Hall  
San Francisco, CA 94102

Dear Mayor Agnos:

In accordance with the City's MBE/WBE/LBE Ordinance 175-89, I am reporting the Airport's progress for the preceding Fiscal Year 1988-89 toward the achievement of MBE and WBE participation goals. As you know, the MBE/WBE/LBE Ordinance 139-84 was in effect which stipulated annual participation goals of 30% MBE and 10% WBE.

During 1988-89, our eligible contract dollars totaled \$23,873,844. Of this amount, \$8,477,115 (36%) was awarded to MBE primes and \$238,338 (1%) to WBE primes. Seven (7) concession leases were awarded: Cigarette Vending, California Products Shop (MBE), Mobile Catering A (MBE), Mobile Catering B (MBE), Duty Free Shop (In-Bond), Beauty Salon and Gifts/Newsstand Shop under a Principal Concession lease with MBE/WBE subleasing goals as a Newsstand (MBE) and Sports Shop (WBE). As previously indicated, three of these leases were awarded to MBE primes and two subleases were awarded to an MBE and a WBE.

For further identification of contracts by ethnic breakdown and dollar amount, I have enclosed computer printouts for both the construction/professional services contracts and concession leases. This annual report was also submitted to the Human Rights Commission on July 28, 1989.

If you or your staff should need additional information about our annual report, please let me know.

Very truly yours,

Original signed by  
L. A. TURPEN

L. A. Turpen  
Director of Airports

Enclosures

LAT:SC:ma  
cc: Admin; Chron; File  
2076D

## ANNUAL MBE/WBE REPORT - FISCAL YEAR 1988/89

## I. ANNUAL MBO CONTRACTING PERFORMANCE DATA

1.	Total eligible contract dollars awarded	\$23,873,884
2.	Total number of eligible contracts awarded	74
3.	Contract dollars awarded to MBE primes	\$ 8,477,115
4.	Percentage of contract dollars awarded to MBE's	36%
5.	Number of contracts awarded to MBE's	22
6.	Contract dollar amounts to:	
	Hispanic	\$ 4,429,714
	Asian/Pacific Islander	\$ 6,249,066
	Filipino	\$ 395,000
	Black	\$ 116,175
7.	Number of contracts awarded to:	
	Hispanic	5
	Asian/Pacific Islander	10
	Filipino	1
	Black	2
8.	Contract dollars awarded to WBE primes	\$ 238,338
9.	Percentage of contract dollars awarded to WBE's	1%
10.	Number of contracts awarded to WBE's	8
11.	Contract dollars awarded to WBE's:	
	Hispanic	\$ 61,000
	Asian/Pacific Islander	\$ 46,000
	White	\$ 101,975
	Black	\$ 29,363
12.	Number of contracts awarded to WBE's:	
	Hispanic	1
	White	3
	Black	2
	Asian/Pacific Islander	2

## II. ANNUAL MBO CONCESSION PERFORMANCE DATA

1.	Total dollar amount from concessions	\$21,979,749
2.	Total number of concessions awarded	7
3.	Dollar amount of concessions from MBE Prime	\$ 532,513
4.	Percentage of Prime Contracts awarded to MBE's	43%
5.	Number of concessions awarded to MBE's	3
6.	Estimated dollar amount received from MBE Primes:	
	Filipino	\$ 64,002
	Asian	\$ 171,511
7.	Dollar amount of concessions from WBE Primes	0
8.	Number of concessions awarded to WBE Primes	0
9.	Number of subleases awarded to MBE's	2
10.	Dollar amount received from MBE subleases	
	Asian	\$ 57,000
	Hispanic	\$ 240,000

SC:ma  
7/25/89  
1833D

## II. ANNUAL MBO CONCESSION PERFORMANCE DATA

1.	Total dollar amount from concessions	\$21,979,749
2.	Total number of concessions awarded	7
3.	Dollar amount of concessions from MBE Prime	\$ 532,513
4.	Percentage of Prime Contracts awarded to MBE's	43%
5.	Number of concessions awarded to MBE's	3
6.	Estimated dollar amount received from MBE Primes:	
	Filipino	\$ 64,002
	Asian	\$ 171,511
7.	Dollar amount of concessions from WBE Primes	0
8.	Number of concessions awarded to WBE Primes	0
9.	Number of subleases awarded to MBE's	2
10.	Dollar amount received from MBE subleases	
	Asian	\$ 57,000
	Hispanic	\$ 240,000

SC:ma  
7/25/89  
1833D



1/31/91 8 PM

DEPARTMENT MBE/MBE PARTICIPATION  
FROM 8813 TO 8912  
BASIS: 734,362,189

Pgt 641 2

Page 1 of 3

	CERTIFIED		REGISTERED		COMBINED		TOTAL	TOTAL	TOTAL
	MBE	WBE	MBE	WBE	MBE	WBE	NON MBE/MBE	AWARDS	LBE
25 - MAYOR									
	0	0	0	0	0	0	2,340	2,340	0
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%
26 - COMMISSION ON AGING									
	12,220	14,777	14,038	998	26,258	15,775	1,620,385	1,661,720	65,269
	.7%	.9%	.8%	.1%	1.6%	.9%	97.5%	100.0%	3.9%
	0	295	72,882	277	72,882	572	62,661	135,838	32,698
	0.0%	.2%	53.7%	.2%	53.7%	.4%	46.1%	100.0%	24.1%
27 - AIRPORT									
	1,581,826	166,852	17,953,870	115,224	19,535,696	282,075	29,628,980	49,391,240	11,188,961
	3.2%	.3%	36.4%	.2%	39.6%	.6%	60.0%	100.0%	22.7%
28 - ART COMMISSION									
	7,101	0	0	0	7,101	0	166,588	193,689	19,314
	3.7%	0.0%	0.0%	0.0%	3.7%	0.0%	96.3%	100.0%	10.0%
29 - CITY PLANNING									
	0	483	11,423	6,133	11,423	6,615	359,937	371,843	273,687
	0.0%	.1%	3.1%	1.6%	3.1%	1.8%	96.8%	100.0%	73.6%
30 - CIVIL SERVICE									
	5,000	2,245	0	0	5,000	2,245	478,430	485,675	238,947
	1.0%	.5%	0.0%	0.0%	1.0%	.5%	98.5%	100.0%	49.2%
31 - FIRE DEPARTMENT									
	129,331	49,295	214,125	22,799	343,456	72,094	1,883,347	2,247,707	584,793
	5.8%	2.2%	9.5%	1.0%	15.3%	3.2%	85.6%	100.0%	26.0%
32 - HETCH HETCHY PROJECT									
	204,606	45,520	5,500	74,009	210,106	119,529	23,124,361	23,413,981	766,638
	.9%	.2%	.0%	.3%	.9%	.5%	98.8%	100.0%	3.3%
33 - HEALTH SERVICE SYSTEM									
	0	65,742	239	239	239	65,981	317,117	383,098	210,585
	0.0%	17.2%	.1%	.1%	.1%	17.2%	82.6%	100.0%	55.0%
34 - HUMAN RIGHTS COMMISSION									
	0	0	0	0	0	0	51,983	51,983	2,899
	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	5.6%
35 - MUNICIPAL RAILWAY									
	925,251	275,978	4,474,158	303,608	5,399,409	579,586	42,555,885	48,443,129	13,279,831
	1.9%	.6%	9.2%	.6%	11.1%	1.2%	87.8%	100.0%	27.4%
36 - PARKING & TRAFFIC COMMISSION									

1/31/91 1:04 pm

DEPARTMENT MBE/MBE PARTICIPATION BY LEVEL  
FROM 8813 TO 8912  
BASIS: 736,362,189

*EXcluding  
Non-Fed's & univers*

REP 663 Page 5

	MBE	CERTIFIED	MBE	REGISTERED	MBE	COMBINED	MBE	TOTAL	TOTAL	TOTAL
								NON MBE/MBE	AWARDS	LBE
<b>25 - MAYOR</b>										
PROF SVCS - MEO	0	0	0	0	0	0	0	0	0	0
0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
PROF SVCS - MIS	0	0	0	0	0	0	384,752	384,752	0	0
0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%	0.0%
<b>26 - COMMISSION ON AGING</b>										
EQUIPMENT & SUP	0	295	382	277	382	572	46,004	46,681	23,298	23,298
0.0%	.6%	.8%	.6%	.8%	1.2%	1.2%	98.5%	100.0%	49.7%	49.7%
GENERAL SVCS	0	0	0	0	0	0	16,657	16,657	9,400	9,400
0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	56.4%	56.4%
PROF SVCS - ACC	0	0	72,500	0	72,500	0	0	72,500	0	0
0.0%	0.0%	100.0%	0.0%	0.0%	100.0%	0.0%	0.0%	100.0%	0.0%	0.0%
<b>27 - AIRPORT</b>										
CONSTR/FAC MNTC	1,420,194	8,636	17,619,559	9,188	19,039,753	17,824	16,381,817	35,421,569	8,237,825	8,237,825
4.0%	.0%	49.7%	.0%	53.8%	.1%	46.2%	93.7%	100.0%	23.3%	23.3%
EQUIPMENT & SUP	88,527	142,904	89,813	87,204	178,340	230,107	5,570,266	5,946,356	1,329,656	1,329,656
1.5%	2.4%	1.5%	1.5%	3.0%	3.9%	93.7%	100.0%	100.0%	22.4%	22.4%
FUELS, LUB & IL	0	0	0	0	0	0	327,100	327,100	316,600	316,600
0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	96.0%	96.0%
GENERAL SVCS	73,105	15,312	50,667	13,500	123,771	28,812	5,721,429	5,874,012	752,800	752,800
1.2%	.3%	.9%	.2%	2.1%	.5%	97.4%	100.0%	100.0%	12.6%	12.6%
PROF SVCS - ACC	0	0	11,500	0	11,500	0	46,000	59,500	11,500	11,500
0.0%	0.0%	19.3%	0.0%	19.3%	0.0%	80.7%	100.0%	100.0%	19.3%	19.3%
PROF SVCS - ARC	0	0	161,000	0	161,000	0	63,512	224,512	179,770	179,770
0.0%	0.0%	71.7%	0.0%	71.7%	0.0%	28.3%	100.0%	100.0%	80.0%	80.0%
PROF SVCS - COM	0	0	16,000	0	16,000	0	111,722	127,722	20,900	20,900
0.0%	0.0%	12.5%	0.0%	12.5%	0.0%	87.5%	100.0%	100.0%	16.4%	16.4%
PROF SVCS - FIN	0	0	0	0	0	0	203,300	203,300	0	0
0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%	0.0%
PROF SVCS - LEG	0	0	0	0	0	0	149,250	149,250	0	0
0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%	0.0%
PROF SVCS - MEO	0	0	0	0	0	0	48,600	48,600	0	0
0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%	0.0%

DEPARTMENT MBE/AWE PARTICIPATION BY LEVEL  
 FROM 8613 TO 8912  
 BASIS: 734,362,189

## 27 - AIRPORT

	CERTIFIED	REGISTERED	COMBINED	TOTAL	TOTAL	TOTAL
MBE	MBE	MBE	MBE	MBE/AWE	AWARDS	LBE

PROF SVCS - MIS	0	0	5,332	5,332	5,332	1,003,984	1,009,316	350,000
	0.0%	0.0%	.5%	.5%	.5%	99.5%	100.0%	34.7%

## 28 - ART COMMISSION

CONSTR/FAC MAINTC	0	0	0	0	0	2,945	2,945	0
	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%
EQUIPMENT & SUP	0	0	0	0	0	16,875	16,875	3,566
	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	21.1%
GENERAL SVCS	7,101	0	0	7,101	0	101,501	108,602	15,748
	6.5%	0.0%	0.0%	6.5%	0.0%	93.5%	100.0%	14.5%
PROF SVCS - MIS	0	0	0	0	0	65,267	65,267	0
	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%

## 29 - CITY PLANNING

EQUIPMENT & SUP	0	483	6,133	6,133	6,615	134,130	140,745	86,201
	0.0%	.3%	4.4%	4.4%	4.7%	95.3%	100.0%	59.6%
GENERAL SVCS	0	0	5,291	0	0	61,710	67,001	29,916
	0.0%	0.0%	7.9%	0.0%	0.0%	92.1%	100.0%	44.7%
PROF SVCS - ARC	0	0	0	0	0	160,482	160,482	159,570
	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	99.4%
PROF SVCS - COM	0	0	0	0	0	3,615	3,615	0
	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%

## 30 - CIVIL SERVICE

EQUIPMENT & SUP	0	2,245	0	0	2,245	212,284	214,529	189,758
	0.0%	1.0%	0.0%	0.0%	1.0%	99.0%	100.0%	88.5%
GENERAL SVCS	5,000	0	0	0	0	86,536	91,536	49,189
	5.5%	0.0%	0.0%	0.0%	0.0%	94.5%	100.0%	53.7%
PROF SVCS - MCH	0	0	0	0	0	21,850	21,850	0
	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%
PROF SVCS - MIS	0	0	0	0	0	157,760	157,760	0
	0.0%	0.0%	0.0%	0.0%	0.0%	100.0%	100.0%	0.0%

## 31 - FIRE DEPARTMENT

REPORT TO MAYOR ON MBE, WBE, LBE PERFORMANCE  
SIX MONTH  
~~QUARTERLY~~ REPORT ON GOOD FAITH EFFORTS

DATE: \_\_\_\_\_

DEPARTMENT/AGENCY FILING REPORT Airports Commission

NAME OF PERSON FILING REPORT Sandra Crumpler

TELEPHONE NUMBER 876-2215

PERIOD COVERING July 1, 1990 TO December 31, 1990  
(IDENTIFY QUARTER BY FISCAL YEAR)

1. TOTAL CONTRACT DOLLARS AWARDED BY  
DEPARTMENT, AGENCY, BOARD, COMMISSION \$ 9,734,553

a. CONTRACT DOLLARS AWARDED TO  
NON-PROFITS. \$ 0

b. CONTRACT DOLLARS AWARDED BASED ON  
WAIVERS, EXCLUSIONS, SOLE-SOURCE  
EXCEPTIONS \$ 65,275 (Emergency)

NET TOTAL (1. minus a & b) \$ 9,669,278

2. PRIME CONTRACT DOLLARS AWARDED TO ALL  
MINORITY-OWNED BUSINESSES (MBE) \$ 2,562,628

PERCENTAGE TO NET TOTAL 26 %

a. SAN FRANCISCO-BASED  
BUSINESSES \$ 2,525,264

b. NON-SAN FRANCISCO-BASED  
BUSINESSES \$ 37,364

3. PRIME CONTRACT DOLLARS AWARDED TO ALL  
WOMAN-OWNED BUSINESSES (WBE) \$ 558,143

PERCENTAGE TO NET TOTAL 6 %

a. SAN FRANCISCO-BASED  
BUSINESSES \$ 546,168

b. NON-SAN FRANCISCO-BASED  
BUSINESSES \$ 11,975



Item 6 - File 55-91-1

The proposed resolution would recommend to the Golden Gate Bridge Highway and Transportation District that the Golden Gate Bridge be open to bicycle riding 24 hours a day, 365 days a year.

The current policy of the Golden Gate Bridge Highway and Transportation District only allows bicyclists to ride across the Golden Gate Bridge between the hours of 5:00 AM and 9:00 PM. The Golden Gate Bridge includes a bikeway with signs in the San Francisco Master Plan of the City and County of San Francisco. An objective of the San Francisco Master Plan is to provide for the safe and convenient use of the bikeway as a means of transportation and recreation. In November 1990, the Board of Supervisors unanimously adopted a resolution (File 97-90-44) which created the Bicycle Advisory Committee, declaring that the development and implementation of a strong bicycle policy "must be given a priority in transportation planning." The Bicycle Advisory Committee unanimously adopted a resolution on February 28, 1991 recommending that the Golden Gate Bridge be open to bicycle riding 24 hours a day, 365 days a year.

Comments

1. According to Mr. Carney Campion, General Manager of the Golden Gate Bridge Highway and Transportation District, the District's current policy has been adopted for safety and security reasons and in order to decrease the number of potential suicides.

2. Ms. Marilyn Smulyan, Head of the Bicycle Advisory Committee reports that based on previous meetings with the Golden Gate Bridge Highway and Transportation District, the District has reported that the District could install a video monitoring system which would enable bicyclists to use the Golden Gate Bridge but prevent pedestrians from walking across the Golden Gate Bridge past 9 PM. Ms. Smulyan also reports that the District has estimated the cost of the video monitoring system at approximately \$12,000 to \$20,000. Ms. Smulyan also reports that the Bicycle Advisory Committee would be willing to submit an amendment to its FY 1991-92 allocation of Transportation Development Act (TDA), Article 3.0 funds, or apply for additional Proposition 116 Gas Tax funds in order to fund a video monitoring system. Ms. Smulyan indicates that a video camera would also have to be installed on the Marin County side of the Golden Gate Bridge, such that Marin County may have to pay for a portion of the costs.

3. While Mr. Campion reports that the District is not currently planning to change its policy and open the Bridge for bicyclists past 9 PM., he states that the District would be willing to cover labor costs for the installation of a video monitoring system. However, Mr. Campion indicates that the District has not yet determined whether there would be additional monitoring costs associated with a video monitoring system, or whether the Golden Gate Bridge could be effectively monitored with low visibility weather conditions. Mr. Campion also reports that the



Memo to Economic and Social Policy Committee  
July 9, 1991 Economic and Social Policy Committee Meeting

District would be willing to negotiate further with the Bicycle Advisory Committee regarding this matter.

**Recommendation**

The proposed resolution is a policy matter for the Board of Supervisors.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

Item 7 - File 151-91-1

The proposed resolution would amend Resolution No. 141-77, which designates and describes the Northeastern Waterfront Survey Area, by adding real property to that area.

Description

1. In 1977, the Board of Supervisors passed Resolution 141-77 designating the Northeast Waterfront from Broadway to China Basin as a survey area to determine the feasibility of improvement through redevelopment or similar activities. The survey was implemented by the Department of City Planning, the Redevelopment Agency, and the Port of San Francisco. It resulted in the selection of Rincon Point-South Beach Redevelopment Project Area. The Redevelopment Agency facilitates development within the Rincon Point - South Beach Redevelopment Project Area according to land use and design guidelines established by the Board of Supervisors.

2. The Redevelopment Agency is proposing an amendment to the Rincon Point - South Beach Survey Area to add 3,446 square feet within the Rincon Point subarea between Steuart and Spear Streets at the Embarcadero Freeway right-of-way (see attached map). The addition of this property would make that portion of Rincon Point a regular rather than an oddly shaped parcel.

3. The original Northeastern Waterfront Survey did not include this property within the Survey Area because it was part of the Embarcadero Freeway right-of-way. Because the Embarcadero Freeway is being torn down, this property has been declared surplus land by the California Department of Transportation since it is no longer needed as a right-of-way.

4. According to Mr. Erwin Tanjuaquio of the Redevelopment Agency, the California Community Redevelopment Law requires that in order to amend the Redevelopment Plan to add property to a redevelopment area which was not part of the original Survey Area which preceded the selection of the redevelopment project area, it is necessary first to amend the boundary to include that property. Only after the boundary has been amended may amendments to the redevelopment plan be made.

Comments

1. According to Mr. Tanjuaquio, the addition of this property, which would make that portion of Rincon Point a regular rather than an oddly shaped parcel, would facilitate a logical, more regular and complete parcel for redevelopment.

2. Mr. Tanjuaquio reports that there would be no costs associated with inclusion of the additional property to the existing Survey Area.

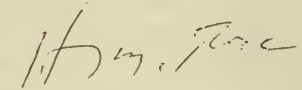
3. If the proposed resolution is approved, the Redevelopment Agency would subsequently submit to the Board of Supervisors an amendment to the

Redevelopment Plan which would include the piece of property in question. If the amendment to the Redevelopment Plan were approved, the Redevelopment Agency would implement redevelopment activities according to the guidelines established by the Board of Supervisors in the expanded area. Mr. Tanjuaquio advises that inclusion of this additional property in the Agency's redevelopment activities would not increase the total cost of those activities.

4. According to the Redevelopment Plan, Mr. Tanjuaquio reports that the additional parcel's primary designation is hotel use; its alternate designation is residential use. Mr. Tanjuaquio further reports that the addition of the former Embarcadero right-of-way would greatly facilitate development of the parcel.

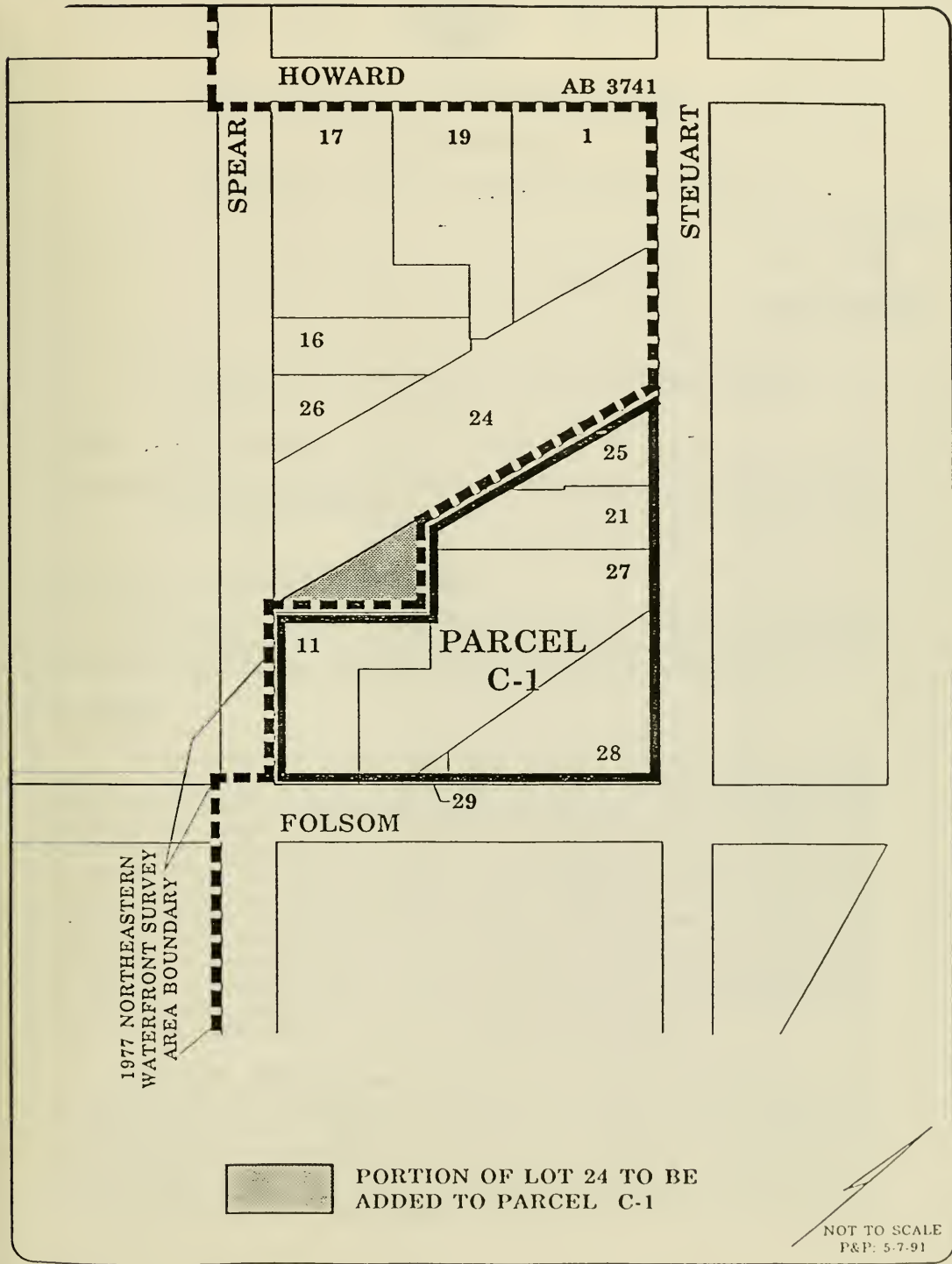
Recommendation

The proposed resolution is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board  
Legislative Policy Analysts  
Chief Administrative Officer  
Controller  
Sam Yockey  
Ted Lakey





**BOARD OF SUPERVISORS****BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415) 554-7642

DOCUMENTS DEPT.

JUL 18 1991

July 18, 1991

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PUBLIC LIBRARY

**TO:** Joint City Services/Economic and Social Policy Committee Meeting

**FROM:** Budget Analyst - *Recommendations*

**SUBJECT:** July 23, 1991 Joint City Services/Economic and Social Policy Committee Meeting

Items 1 and 2 - Files 188-91-2 and 188-91-5

The proposed ordinances would amend Part II, Chapter X of the San Francisco Municipal Code (Public Works) by adding Article 23 thereto establishing requirements for the use of reclaimed and non-potable water.

**Description**

The proposed ordinances would amend the City's Municipal Code by adding a Section which would establish requirements for the use of reclaimed and non-potable water by commercial, industrial, residential and government buildings and irrigation systems. The proposed ordinance would require new buildings that are located within a defined use area and 40,000 square feet or more in area to install dual piping systems. One piping system would be for potable water and the other for non-potable water to flush toilets. In addition, the proposed ordinance would require any open area of 10,000 square feet or more that is located within a specified use area to install an irrigation system that uses reclaimed or non-potable water. The purpose of the proposed ordinances would be to establish a written policy for San Francisco concerning long range water reclamation uses. Although the intent of both of the proposed ordinances is the same, there are differences in some of the specific requirements.

The authors of the proposed ordinances have agreed to establish one policy concerning the use of reclaimed and non-potable water which will be divided into two parts and introduced separately by the authors. Both of the proposed parts will contain the same language except one part will contain one or more Sections that the other part does not have. For example, one part will have Section 1307 while the other contains Section 1306. Approval of one part will be conditional on the approval of the other. The authors will submit amendments of the whole of



their respective proposed ordinances at the Joint Committee meeting on July 23, 1991. As of the writing of this report, the amendments of the whole have not been written. As such, it will not be possible to discuss the files separately. The following is a summary of the complete ordinance as agreed upon by the authors:

(1) A Non-potable and Reclaimed Water Use Master Plan would be prepared by the Water Department and the Department of Public Works (DPW) for review and approval of the Public Utilities Commission (PUC) and the Chief Administrative Officer (CAO). The proposed Non-potable and Reclaimed Water Use Master Plan would be updated every five years.

(2) The Master Reclamation Plan would include, but not be limited to, the following:

- A long-range plan for water reclamation;
- A reclaimed water use area map, which would delineate the areas served or to be served within ten years by the reclaimed water distribution system;
- Department of Public Health (DPH), DPW, Fire Department and PUC general rules, regulations, standards and procedures governing the use and distribution of reclaimed water;
- Identification of resources and recommendation of specific measures to assist reclaimed water users to finance necessary conversions;
- Identification of demonstration or pilot projects which will further the use of reclaimed water either within or outside of the City's boundaries;
- Evaluation of the need for the establishment of a public awareness program on the benefits of water reclamation;
- Evaluation and recommendation of types of water use (i.e., agricultural irrigation, office building uses, filling of habitat lakes);
- Recommendations for actions to coordinate efforts between the City and other agencies (locally and regionally) to share in the production and utilization of reclaimed water;
- Recommendations for control measures and management practices, in addition to those required by State and Federal regulations, to maintain or improve the quality of reclaimed water;
- An annual report on the status and implementation of the Non-potable and Reclaimed Water Use Plan would be prepared by the Water Department, and the DPW, and submitted to the Board of supervisors, the CAO, the PUC, DPH, the Fire Department, the Recreation and Park Department and any other interested agency.

(3) Establish guidelines and regulations for development projects with respect to usage of reclaimed water. A development project would be defined as any project involving the construction, modification, conversion, or alteration of any structure or structures or portion of any structure or structures which would result in the construction of 40,000 square feet or more of usable non-residential space, or which would result in the modification, conversion or alteration of 40,000 square feet or more of usable non-residential space. A development project includes all landscaped, irrigated areas constructed as part of the building or structure project.

(4) Establish a Non-potable and Reclaimed Water Use Certificate to be issued by the Water Department to any owner, operator or manager of a development project, or an irrigation system subject to Section 1304(e) located within the boundaries of a non-potable and reclaimed water use areas . The Water Department would establish the fee for the proposed certificate based on the administrative costs.

(5) Establish a mandatory non-potable and reclaimed water use policy requiring non-potable and reclaimed water to be used in all non-potable and reclaimed water systems, non-potable and reclaimed water distribution systems and non-potable and reclaimed water irrigation systems. The proposed ordinance provides for a use-waiver in cases where the General Manager of the Water Department determines that, for technical reasons or feasibility reasons, non-potable and reclaimed water is incompatible with a building's use.

(6) Require irrigation systems located within a non-potable and reclaimed water use area and that use potable water be converted to use non-potable or reclaimed water. The proposed conversion requirement would apply to irrigation systems for irrigated property of 10,000 square feet or more in area.

(7) The applicability of the proposed complete ordinance would be as follows:

Before January 1, 1992	No dual-plumbing required
January 1, 1992 - July 1, 1992	Dual-plumbing required for irrigation system only
After July 1, 1992	Dual-plumbing required for new buildings 40,000 sq. ft. or more and in irrigation systems.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

After January 1, 2000

Dual-plumbing required for residential buildings within the service area depending on the State Department of Public Health's approval of residential reclaimed wastewater use.

(8) The proposed complete ordinance would include government facilities including government operated irrigation systems serving 10,000 square feet or more of landscaped property and new construction and operation of 40,000 square feet or more of government (City, State and Federal property) owned and operated buildings.

(9) The proposed complete ordinance would establish a \$500 fine to be paid by any person who violates any provision of the proposed ordinance and is found guilty of an infraction. The proposed \$500 fine would be levied each day the violation is committed or is permitted to continue. Any person who intentionally or negligently violates any provision of the proposed ordinance would be fined in an amount not to exceed \$1,000 per day for each violation that occurs.

### Comments

1. In 1989 the Board of Supervisors passed Resolution 389-89 entitled "Groundwater Management and Utilization" which directed DPW and the Water Department to improve wastewater reclamation and reuse in San Francisco. In December, 1989, an RFP was issued to develop a City Water Reclamation Master Plan. James Montgomery Consulting Engineers was selected to prepare the Master Plan. The development of the Master Plan began in July, 1990 and according to DPW, will be completed approximately August, 1992. The Clean Water Program is administering the development of the Water Reclamation Master Plan under the advice of the Water Department, Fire Department, Recreation and Park Department and the Department of Public Health. The Water Department is co-funding the development of the Water Reclamation Plan. In addition, the Water Department is funding a groundwater study to answer questions to help complete the Reclamation Plan. Ms. Michele Pla of the Clean Water Program reports that the Clean Water Program and the Water Department have already spent approximately \$300,000 on the development of the City's Water Reclamation Master Plan. The monies to finance the City's Reclamation Master Plan come from the Sewer Revenue Fund and the Water Resources Planning Fund.

2. James Montgomery Consulting Engineers (JMM), reports that the estimated cost of dual plumbing is approximately 15 to 20 percent of the cost of a hot/cold plumbing system. JMM further notes that the cost for hot/cold plumbing is approximately \$3.00 per square foot. Therefore, dual plumbing costs would range from \$0.45 to \$0.60 per square foot. Using the 40,000 square feet or more requirement of the proposed ordinance, the dual plumbing requirement for new non-residential (including government buildings) development projects would result in between \$18,000 to \$24,000 in additional costs to the developer. According to the Bureau of

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

Building Inspection, 28 new buildings were erected in the City from July, 1990 through June, 1991. Mr. Peter Burns of the Bureau of Building Inspection advises that approximately 75 to 90 percent of these 28 buildings are at least 40,000 square feet in area.

3. Mr. Burns further advises that the proposed dual plumbing systems would require additional time for plumbing and building inspectors to check. For example, a building with four floors at 10,000 square feet each floor would add an additional cost of \$212.75 to the Bureau of Building Inspection. Mr. Burns advises that these additional costs could be incorporated into the Building Permit fee for buildings installing dual plumbing systems.

4. The non-potable and reclaimed water irrigation systems would cost an additional 10 to 20 percent than the regular irrigation systems because of special valving required by the State and signs warning people not to drink the water. As of the writing of this report, the number of open spaces of 10,000 square feet or more that use an irrigation system is unknown.

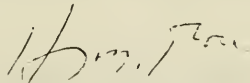
5. According to Ms. Cheryl Davis of the Water Department, the Water Department has not yet determined their administrative costs associated with issuing the Non-potable and Reclaimed Water Use Certificate. Therefore, the Water Department is unable to report what the Non-potable and Reclaimed Water Use Certificate fee would be.

6. The authors of the proposed ordinance report that the \$500 and \$1,000 fine monies would be deposited into the City's General Fund.

7. According to Mr. Steve Nelson of the CAO's Office, the City is not planning to finance the construction of new City buildings in the foreseeable future.

### Recommendation

The proposed ordinances are policy matters for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Alioto  
Supervisor Kennedy  
Supervisor Achtenberg  
Supervisor Migden  
Supervisor Hsieh  
President Ward  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Maher

Supervisor Shelley  
Clerk of the Board  
Legislative Policy Analysts  
Chief Administrative Officer  
Controller  
Sam Yockey  
Ted Lakey

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**





CALENDAR  
ACTIONS TAKEN

MEETING OF

JOINT CITY SERVICES/ECONOMIC & SOCIAL POLICY COMMITTEE

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

DOCUMENTS DEPT.

JUL 20 1991

SAN FRANCISCO  
PUBLIC LIBRARY

Tuesday, July 23, 1991 - 10:00 A.M.

Legislative Chamber  
Second Floor, City Hall

Present: Supervisors Alioto, Achtenberg, Migden

Absent: Supervisors Kennedy and Hsieh

Acting Clerk: Gail Johnson

1. File 188-91-2. [Water Reclamation and Reuse] Ordinance amending Public Works Code by adding Article 22 establishing requirements for the use of reclaimed water. (Supervisor Achtenberg)

ACTION: Amendment of the Whole, as presented by Supervisor Achtenberg, adopted. New title: "Amending Public Works Code by adding Article 22 regarding the use of non-potable and reclaimed water by commercial, industrial, residential and governmental water users." Continued to September 24, 1991, meeting, at 10:00 a.m. Supervisor Migden added as a co-sponsor.

2. File 188-91-5. [Non-Potable Water Use] Draft ordinance amending Public Works Code by adding Article 23 to establish requirements for the use of non-potable water by commercial, industrial, and governmental water users. (Supervisor Migden)

ACTION: Amendment of the Whole, as presented by Supervisor Migden, adopted. New title: "Amending Public Works Code by adding Article 22 regarding the use of non-potable and reclaimed water by commercial, industrial and governmental water users." Continued to September 24, 1991, meeting, at 10:00 a.m. Supervisor Achtenberg added as a co-sponsor.





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MEETING OF

JOINT CITY SERVICES/ECONOMIC & SOCIAL POLICY COMMITTEE

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

DOCUMENTS DEPT.

JUL 15 1991

SAN FRANCISCO  
PUBLIC LIBRARY

Tuesday, July 23, 1991 - 10:00 A.M.

Legislative Chamber  
Second Floor, City Hall

Members: Supervisors Alioto, Kennedy, Achtenberg, Migden, Hsieh

Acting Clerk: Gail Johnson

1. File 188-91-2. [Water Reclamation and Reuse] Ordinance amending Public Works Code by adding Article 22 establishing requirements for the use of reclaimed water. (Supervisor Achtenberg)

ACTION:

2. File 188-91-5. [Non-Potable Water Use] Ordinance amending Public Works Code by adding Article 23 to establish requirements for the use of non-potable water by commercial, industrial, and governmental water users. (Supervisor Migden)

ACTION:

JOINT CITY SERVICES/ECONOMIC &  
SOCIAL POLICY COMMITTEE  
Board of Supervisors  
City and County of San Francisco  
Room 235, City Hall  
San Francisco, CA. 94102

IMPORTANT NOTICE

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CITY AND COUNTY



OF SAN FRANCISCO

## BOARD OF SUPERVISORS

### BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

July 18, 1991

DOCUMENTS DEPT.

JUL 18 1991

TO: Economic and Social Policy Committee

FROM: Budget Analyst - Recommendations

SAN FRANCISCO  
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SUBJECT: July 23, 1991 Economic and Social Policy Committee Meeting

#### Item 2 - File 107-89-15

**Note:** This item was continued by the Economic and Social Policy Committee at its meeting of July 9, 1991.

This item is a hearing to consider the procedures and regulations concerning foster children, including the placement of foster children outside of San Francisco County, and to consider the effects of Senate Bill No. 1177 on the adoption of children.

The Department of Social Services (DSS) reports that it is DSS's policy to place children in homes as close to their own families as possible. However, DSS advises that San Francisco's foster children are placed outside of the County for various reasons as follows:

- (1) Placing a child in the most appropriate foster home, based on the child's individual needs, sometimes necessitates placing children outside of San Francisco.
- (2) Many of the African American foster families who originally lived in San Francisco have moved out of the City. In such cases, it is often times determined to be in the child's best interests to move with the foster family.
- (3) DSS uses African American home finding agencies which serve the entire Bay Area and many of their approved homes are located in other Counties.

- (4) The number of families that could potentially provide foster care in San Francisco is limited due to the high cost of housing in the City which makes it difficult for families to afford the type of housing required to provide foster care. The type of housing required is regulated by State licensing rules which stipulate that certain housing requirements be met. These requirements include but are not limited to restrictions on bedroom size, number of children who can sleep in a bedroom, number of exits, fire/security bars, and which floor that the children can sleep on.
- (5) Placing a child with relatives, which DSS considers a priority, sometimes requires placing the child outside of San Francisco. According to DSS, 51 percent of the children who are placed outside the County are placed with relatives who reside outside of San Francisco.

Senate Bill 1177, which was originally authored by Senator Royce, established conditions under which foster parents must be given consideration, along with other potential adoptive families, to become the adoptive parents of a foster child. The bill was drafted in response to a specific case involving a foster family that cared for a child with Down's Syndrome for 1 1/2 years. Children's Home Society (CHS), the agency in charge of the adoption proceedings, did not consider that foster family when it sought a permanent placement for the child. As a result, the foster family sued CHS.

DSS reports that a "corrected" version of SB 1177 was drafted to be known as Senate Bill 2188 (SB 1177 was withdrawn by the author in favor of the new, "corrected" version, SB 2188). The new SB 2188 specified that it does not pertain to dependent children of juvenile court cases, and since DSS handles only such dependent children of juvenile court cases, SB 2188 (which replaces SB 1177) did not apply to DSS. DSS reports that Senator Royce's staff advised DSS that Senator Royce believes current laws governing public adoption agency activities already sufficiently address the issue of foster parent adoption. SB 2188 was signed into law in 1990.

### Comments

1. The total number of children that are in out-of-home placements within San Francisco and outside of San Francisco, as of mid-June 1991, as provided by DSS, is as follows:

**Placements Within San Francisco County**

<u>Ethnicity</u>	<u>Foster Home and Group Home</u>	<u>Legal Guardian Relative</u>	<u>Legal Guardian Non-Relative</u>	<u>Relative</u>	<u>Total</u>
White	66	2	15	34	117
Hispanic	38	19	17	82	156
Black	261	93	103	769	1,226
Asian	23	1	11	18	53
Indian	6	0	2	1	9
Filipino	<u>0</u>	<u>2</u>	<u>2</u>	<u>2</u>	<u>6</u>
Total	394	117	150	906	1,567

**Placements Outside San Francisco County**

<u>Ethnicity</u>	<u>Foster Home and Group Home</u>	<u>Legal Guardian Relative</u>	<u>Legal Guardian Non-Relative</u>	<u>Relative</u>	<u>Total</u>
White	101	6	4	76	187
Hispanic	71	4	6	46	127
Black	449	25	22	358	854
Asian	23	1	2	9	35
Indian	19	0	1	8	28
Filipino	<u>11</u>	<u>1</u>	<u>1</u>	<u>1</u>	<u>14</u>
Total	674	37	36	498	1,245

2. The DSS also reports that it has made, and is continuing to make certain efforts to recruit more African American foster and adoptive families in San Francisco, as follows:

- (a) Effective November 27, 1989, DSS reassigned recruitment responsibilities to a new Assistant Director, with foster children knowledge and experience in recruiting, training, certifying and supervising prospective foster and adoptive families. A \$400,000 Foster Care Reserve Fund was also established during 1990-91. DSS had proposed to develop a comprehensive recruitment plan for use of these reserve funds to increase the number of quality, culturally relevant foster homes in San Francisco and to increase the number of homes available for children freed for adoption. Ms. Ann O'Rielly of DSS advises that the \$400,000 subsequently reverted to the General Fund as a result of the City's projected budget shortfall and, as such, was not made available to the Department for the development of a recruitment plan.



- (b) DSS budgeted \$60,000 in its 1990-91 budget to be used by the Assistant Director for recruitment purposes. Of the \$60,000, \$35,000 was used for contract services to aid in the recruitment of African American foster and adoptive families (see 2(c) below). Of the remaining \$25,000, approximately \$10,000 was used to fund a Black Adoption Fair, held on May 4, 1991 and approximately \$15,000 was used for the development of recruitment materials targeted towards cultural and ethnic groups. DSS reports that the Fair, which was held at the Recreation Center for the Handicapped in San Francisco, was attended by staff from 15 counties and approximately 300 families. A total of 63 African American children from San Francisco who were available for adoption were in attendance. Of the 300 families in attendance at the Fair, 58 families indicated an interest in pursuing adoption of a San Francisco child. DSS is in the process of doing follow-up with these families.
- (c) DSS issued a RFP, on June 15, 1990, to contract with a community-based agency with demonstrable expertise in recruiting African American foster and adoptive families. DSS reports that, as a result of the RFP process, Naomi Gray and Associates and Calvin Jones Jr. and Associates were selected to provide recruitment services. Both contracts were for a six-month period ending December 31, 1990. The contract with Naomi Gray and Associates was in the amount of \$21,000 and the contract with Calvin Jones Jr. and Associates is in the amount of \$14,000. Naomi Gray and Associates is a MBE/WBE firm and Calvin Jones Jr. and Associates is a MBE firm. DSS advises that, under these two contracts, the goal was to recruit 500 African American foster parents by December 31, 1990. 300 of the total 500 foster parents were to be recruited by Naomi Gray and Associates and the remaining 200 were to be recruited by Calvin Jones Jr. and Associates. According to DSS, the actual number of African American foster parents recruited under these two contracts was approximately 75 to 80.
- (d) DSS continues to use the services of private placement agencies such as the Black Adoption Placement and Research Center. In addition, DSS has identified organizations such as churches, ministerial alliances, and Black employee groups which have access to potential African American foster and adoptive families.
- (e) DSS's recruitment staff participate in public events, the Annual Adoption Fair, street fairs, and community outreach activities at shopping malls and other public gatherings.

3. Foster care rates are set by the State. DSS advises that, based on a U.S. Supreme Court ruling, relatives are paid the same rate, to provide foster care, as are foster parents who are not relatives, providing that the child is eligible for Federal foster care funding. However under State law, relatives who provide foster care to children, who are eligible for County and/or State foster care

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

Memo to Economic and Social Policy Committee  
July 23, 1991 Economic and Social Policy Committee Meeting

funding only, cannot receive foster care funding for their services. However, these relatives would be eligible for AFDC. DSS reports that although a State bill to change this law was defeated last year, the Department is continuing to work with the State Legislature to get the law changed to provide that all relatives providing foster care would be eligible to receive the established foster care rate. The current foster care rates for long term placement are outlined below:

<u>Age of Foster Care Children</u>	<u>Monthly Base Rate</u>	<u>Monthly Rates At</u>		
		<u>Level I*</u>	<u>Level II*</u>	<u>Level III*</u>
0-4	\$345	\$694	\$835	\$977
5-8	375	494	588	683
9-11	400	529	624	717
12-14	444	588	683	776
15-18	484	641	741	834

\*The level of payment above the base rate is determined by the specific foster child's special needs, as related to emotional, social, developmental or medical problems.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



Item 5 - File 171-91-2

The proposed resolution would support the increase in CalTrain services. As specifically stated in the proposed legislation, this resolution would make it the policy of the City and County of San Francisco to support the consideration by the Metropolitan Transportation Commission (MTC) and local counties allocating additional funding to expedite operation of more trains on the Peninsula, with particular emphasis on reverse peak commute and hourly midday service.

According to Mr. Eric Schatmeier of the California Department of Transportation (Caltrans), CalTrain has traditionally been a commuter railroad bringing commuters from the Peninsula to San Francisco since 1907. Although the number of CalTrain trains has increased periodically since the 1960's, basic CalTrain service has not changed. Service consists of one train every two hours during non-commuter hours, and trains approximately every 15 minutes during commuter hours, for a total of 54 trains per weekday.

The proposed resolution would support an increase from one train every two hours to one train every hour from 10:00 am to 4:00 pm. In addition, the proposed resolution would support an increase in trains during peak commuter hours for the reverse commute, that is, from San Francisco to the Peninsula in the morning and from the Peninsula to San Francisco in the evening. According to Mr. Schatmeier, this would increase the total number of trains per weekday from 54 to 60.

Comments

1. CalTrain is currently operated by Southern Pacific Railway and subsidized 50 percent by Caltrans. The remaining 50 percent of the operating costs are determined by ridership and are shared by San Francisco (5.1 percent), San Mateo (25.5 percent) and Santa Clara (19.4 percent) counties. San Francisco's share for FY 1990-91 was approximately \$788,286.

2. Management of CalTrain is scheduled to be taken over by the local jurisdictions of San Francisco, San Mateo and Santa Clara Counties after 1993, per State legislation which requires that the State shall not subsidize CalTrain. The new local CalTrain management organization will be the nine member Peninsula Corridors Study Joint Powers Board, which consists of three members each from San Francisco, San Mateo, and Santa Clara counties.

3. Mr. Schatmeier reports that the long-term goal of the Joint Powers Board is to increase the number of weekday trains to 96 by the year 2000, and 114 by the year 2005. According to Mr. Alan Hirsch of the CalTrain Citizens Advisory Committee, the Joint Powers Board would also like to increase the number of weekend trains from one every two hours to one every hour by FY 1995-96.

4. According to the proposed resolution, CalTrain has not added additional trains since 1987. However, Mr. Schatmeier reports, on April 1, 1991, the number of trains was increased from 52 per weekday to 54 per weekday as a result of the

availability of State earthquake funds. Therefore, the proposed resolution should be amended to state that additional trains were last added to the service in 1991.

5. The proposed resolution states that CalTrain is the most cost effective transit operation in Santa Clara and San Mateo Counties, with riders paying 60 to 400 percent more of the overall operating costs and the service itself operating at a cost of 60-80 percent less per passenger mile than existing light rail and bus systems. To clarify, Santa Clara and San Mateo County riders pay 60 to 400 percent more of the overall operating costs for CalTrain than for existing light rail and bus systems in those counties.

According to Mr. Alan Hirsch of CalTrain Citizens' Advisory Committee, riders pay just under 40 percent of CalTrain operating costs, while, for example, riders pay 6 percent of the operating costs for the Santa Clara County light rail system. To clarify the proposed legislation, the sixth paragraph of the proposed resolution could be amended to include the following underlined portion: Whereas, CalTrain is the most cost effective transit operation in Santa Clara and San Mateo Counties, with riders paying 60-400 percent more of the overall operating costs for CalTrain than for existing light rail and bus systems, and CalTrain service operates at a cost of 60-80 percent less per passenger mile than existing light rail and bus systems.

6. The Joint Powers Board assumes that increased frequency would result in increased ridership. Mr. Hirsch reports that the assumption that CalTrain ridership would increase with increased service is based on two facts: (1) the most common complaint from potential riders about CalTrain is that daytime service is too infrequent to be convenient, and (2) historically, each increase in frequency has resulted in measurable increased use.

According to Mr. Schatmeier, the increase in the number of trains will therefore decrease the per train cost, and thus decrease the cost per passenger mile and increase the percentage support of operating costs through fares. Mr. Hirsch reports that according to a Santa Clara County policy study, if train frequency went up to 66 trains per day, an increase of 22 percent over the current 54 per day, cost per passenger mile would decrease 25 percent.

Mr. Schatmeier asserts that the goal of the the Joint Powers Board is to increase the number of trains without increasing total absolute costs by operating the trains more efficiently. However, Mr. Schatmeier reports, though it is reasonable to suppose that more trains may be operated at no additional cost, if the absolute costs do increase, the Counties may not be able to support the cost of increased numbers of trains, since the Counties are scheduled to assume the total cost of CalTrain without a State subsidy after 1993.

7. Mr. Schatmeier reports that the Joint Powers Board is negotiating to purchase the CalTrain right-of-way from Southern Pacific Railway by September of 1991. Mr. Schatmeier further reports that San Francisco has already transferred property in San Mateo County which San Francisco owns to San Mateo County to pay its share of the cost of the CalTrain right-of-way.

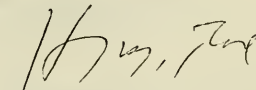


Mr. Hirsch reports that a major reason for the purchase of the CalTrain right-of-way is to eliminate Southern Pacific as the CalTrain operator. According to Mr. Hirsch, due to Southern Pacific's inefficient operating procedures, the cost of operating CalTrain is much higher than necessary. The Joint Powers Board hopes to increase efficiency with a new operator through such methods as automated ticketing and increased workforce productivity.

If the purchase of the Southern Pacific right-of-way is successful, the goal of the Joint Powers Board is to choose a new operator by the spring of 1992. According to Mr. Schatmeier, the Joint Powers Board has already issued an RFP to three interested and qualified potential operators.

### Recommendation

Amend line 5 of the proposed resolution to state that additional trains were last added to the service in 1991. To clarify, amend the sixth paragraph of the proposed resolution to include the following underlined language: Whereas, CalTrain is the most cost effective transit operation in Santa Clara and San Mateo Counties, with riders paying 60-400 percent more of the overall operating costs for CalTrain than for existing light rail and bus systems, and CalTrain service operates at a cost of 60-80 percent less per passenger mile than existing light rail and bus systems. Approval of the proposed resolution as amended is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board  
Legislative Policy Analysts  
Chief Administrative Officer  
Controller  
Sam Yockey  
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~~CALENDAR~~ - ACTION TAKEN

REGULAR MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, JULY 23 1991 - 2:00 P.M.

ROOM 228, CITY HALL

PRESENT: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

ABSENT: SUPERVISOR ALIOTO - ITEMS 1, 3, 4, and 5

CLERK: KAY GULBENGAY

1. File 115-91-3. [Designating the Buena Vista North Historic District] Ordinance amending Article 10 of the City Planning Code, Part II Chapter II of the Municipal Code by adding Appendix J designating the Buena Vista North Historic District. (Department of City Planning)  
(Continued from 4/23/91)

(Approved by City Planning Commission by Resolution No. 13002.)  
(Categorically exempt from Environmental Impact Review.)

ACTION: Hearing held. Continued to call of the chair.

2. File 107-89-15. Hearing to consider procedures and regulations concerning foster children, including placement of these children outside of San Francisco and the ramifications of Senate Bill 1177 regarding adoption of children. (Supervisor Kennedy)  
(Continued from 7/9/91)

ACTION: Hearing held. Continued to call of the chair.

3. File 178-90-1. Hearing to consider allegations by various security officers of discriminatory practices at the Fine Arts Museum. (Supervisor Kennedy)  
(Continued from 7/9/91)

ACTION: Hearing held. Continued to call of the chair.

4. File 18-91-4. Hearing to consider installation of a Stop sign at the intersection of Palou Avenue and Jennings Street. (Supervisor Ward)

ACTION: Hearing held. Continued to call of the chair.



5. File 171-91-2. [Increase in Caltrain Frequency] Resolution supporting the increase in Caltrain frequency. (Supervisor Kennedy)

ACTION: Hearing held. Continued to call of the chair.

IT IS THE INTENTION OF THE CHAIR TO ENTERTAIN A MOTION TO TABLE THE FOLLOWING ITEM:

6. File 12-91-3. [State Legislation] Resolution urging passage of Assembly Bill 203 relating to establishment of rescue and rehabilitation stations for sea birds, sea otters and other marine mammals affected by oil spills in marine waters by January 1, 1992. (Supervisor Maher)

ACTION: Tabled at the request of author.



**BOARD OF SUPERVISORS****BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

August 8, 1991

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AUG 19 1991

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**TO:** Economic and Social Policy Committee  
**FROM:** Budget Analyst - Recommendations  
**SUBJECT:** August 13, 1991 Economic and Social Policy Committee Meeting

Item 2 - File 40-91-5.1**Department:** Parking and Traffic

**Item:** Resolution extending the boundaries of Residential Permit Parking Area "S" in the Duboce Triangle area and adding to the list of streets upon which time limitations shall apply.

**Description:** Residential Permit Parking Area "S," established by the Board of Supervisors, was implemented on May 1, 1988, and includes approximately the area from Haight Street to Eighteenth Street and from Valencia Street to Douglass Street (see map, attached). Two hour parking limits are imposed on persons without residential permits who park in Area "S" from 8 am to 9 pm, Monday through Friday. The approval date for the most recent extension of Area "S" was October 12, 1990, when the south side of 18th Street between Hartford and Noe Streets and both sides of 19th Street between Church and Sanchez Streets were added by resolution of the Board of Supervisors.

The proposed resolution would extend Area "S" to include Sanchez Street, between 19th Street and Hancock Street. According to Mr. Stanley Chin of Parking and Traffic, the proposed resolution would extend Area "S" one half block on both sides of the street. According to the proposed resolution, more than 50 percent of the residences within the proposed block have petitioned to be included within Area "S." In



addition, the proposed resolution states that a public hearing held by the Parking and Traffic Commission on June 14, 1991 indicated that there was no opposition to extending the Area as proposed.

**Comments:**

1. Mr. Tim Johnson of Parking and Traffic reports that fines levied against non-residents who park in Area "S" beyond the two-hour limit Monday through Friday are \$30. Mr. Johnson estimates that an average of between .25 and two tickets would be issued each day, Monday through Friday excluding holidays, for a total of 249 working days, or 62 to 498 tickets annually, resulting in estimated fines of \$1,860 to \$14,940 per year. According to Mr. Johnson, parking patterns are impacted, for example, by the proximity of restaurants or the Municipal Railway. The proposed area is between the Castro shopping area, Dolores Park, and Mission High School.

2. According to the attached map, approximately 28 dwellings are located within the proposed extended area. The recently approved new annual fee for residential permits is \$24. Mr. Johnson estimates that approximately \$1,008 to \$1,344 would be generated by the purchase of permits by residents, an average of approximately 1.5 to two permits per dwelling.

3. Mr. Johnson advises that the cost of erecting six to eight signs in the extended area would be approximately \$100 each, for a total cost of \$600 to \$800. Thus, net revenue to the City, including fines and permit fees less costs, would be approximately \$2,068 to \$15,684.

4. According to Mr. Johnson, the Board of Supervisors imposed an 84-day moratorium on the creation of new residential permit parking areas on June 8, 1990. Mr. Johnson reports that the moratorium expired August 31, 1990. Mr. Johnson further reports that the moratorium did not prohibit the expansion of existing areas, and that some areas were expanded during the moratorium period.

5. As mentioned above, attached is a map delineating Residential Parking Permit Area "S" as prepared by the Department of Public Works.

**Recommendation:** Approve the proposed resolution.

# LEGEND

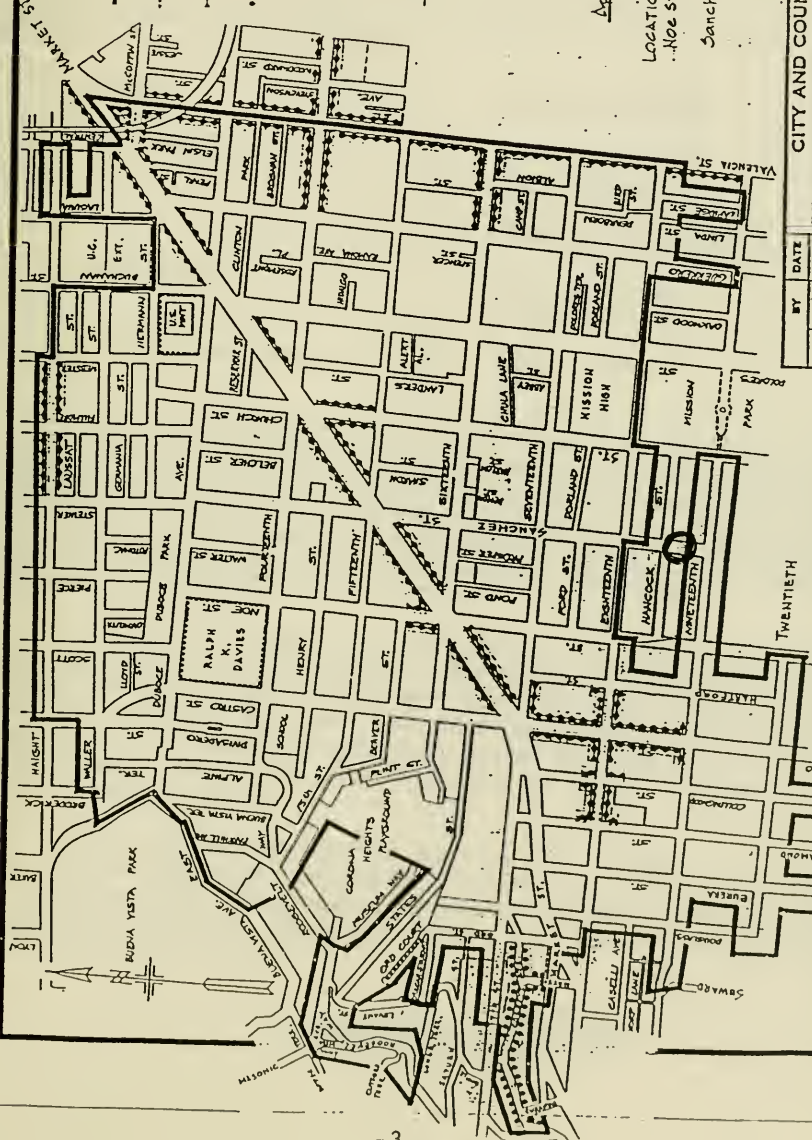
- Boundary of Residential Permit Parking Area "S".
- Block Faces without Parking Restriction.
- Block Faces with Parking Meters.
- Block Faces are with 2 hr. parking time limit, 8 a.m. to 5 p.m., Mon. thru Fri.

NOTE: All other Block Faces are with 2 hr. parking time limit, 8 a.m. to 9 p.m., Mon. thru Fri., except vehicles with Area "S" permit.

Approval Date for Latest Extension:

Oct. 12, 1990

LOCATION: 1) 18th St. between Hartford + Noe Sts., south side.  
2) 19th St. between Church + Sanchez Sts., both sides.



CITY AND COUNTY OF SAN FRANCISCO			
DEPARTMENT OF PUBLIC WORKS - BUREAU OF ENGINEERING			
Residential Permit Parking			
Area "S": Duboce Triangle Area - 12th Extension			
BY	DATE	APPROVED	FILE
DR. RFE	10-24-90	APPROVED	STR-6453
THL		DATE 11/11/90	
CK		DATE 11/11/90	
APP. M.W.		DATE 11/11/90	
ST		DATE 11/11/90	
TABLE OF CHANGES			
NO.	DATE	DESCRIPTION	
1			
CAUTION: CHECK WITH TRACING TO SEE IF YOU HAVE LATEST REVISION			
REFERENCES	21st		

(Estimated no. of Dwellings - 25 units)



Item 5 - File 13-91-15

1. This item is a hearing to consider the closure and/or abandonment of the Main Post Office at 7th and Mission Streets.

2. Mr. John O'Keefe, Manager of Support Services, of the San Francisco Post Office reports that the Main Post Office at 7th and Mission Streets was closed following the earthquake that occurred on October 17, 1989. Mr. O'Keefe advises that the facility, which is owned by the Federal General Services Administration (GSA), sustained extensive damage and was condemned. According to Mr. O'Keefe, the Post Office has no future plans to restore postal services at this facility. Mr. O'Keefe reports that the postal services, which were provided at the 7th and Mission Streets facility, are now being provided at three separate postal facilities at the following locations:

<u>Location</u>	<u>Services Provided</u>
1) 101 Hyde Street	Post Office Boxes General Delivery Firm Callers Seaman Will-Call Unit
2) 390 Main Street	Carrier Services Delivery Services
3) 1390 Market Street	Retail Services

3. Mr. O'Keefe advises that the closure of the 7th and Mission Streets facility did not result in any transfer of services to the City Hall postal facility. Mr. Harry Quinn reports that under the City's lease with the San Francisco Post Office, the Post Office pays the City \$1 per month for the rental of the City Hall facility. Mr. Quinn advises that the reason the monthly rental is only \$1 per month is because, the postal facility offers convenient services to the City departments located in, as well as outside, City Hall.

4. Ms. Mary Filippini, Executive Assistant to the Regional Administrator, of the GSA reports that the facility at 7th and Mission Streets is scheduled to undergo construction and renovation, which will begin in approximately one year. It is anticipated that the project would be completed within a two to three year period. Ms. Filippini advises that when construction is completed, the area which previously housed the Main Post Office will be used as expanded space for the U. S. Court of Appeals.

5. Mr. Alan Manning and Mr. Paul Lovinger, residents of San Francisco, have registered complaints with the San Francisco Post Office and have petitioned the U.S. Postal Rate Commission regarding the closure of the Main Post Office. Mr. Manning and Mr. Lovinger have advised that their concerns include, but are not limited to, the following:

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

- (1) The Main Post Office facility at 7th and Mission Streets, which opened in 1905, had significant historical and architectural value and should be preserved.
- (2) Due to the closure of the facility, the Post Office Box numbers have been changed, which has resulted in inconvenience, additional costs and the potential loss of correspondence to businesses as well as individuals.
- (3) Full postal services, which were provided at the Main Post Office, are now provided at several separate locations, which has resulted in significant inconvenience to post office patrons in the South of Market and Tenderloin areas as well as other parts of the City.
- (4) Some services, such as the 24 hour guard services and access to Post Office Box services for 18 hours a day 365 days a year, which were provided at the Main Post Office, are no longer available.
- (5) The Main Post Office was closed without adequate notification to patrons and without addressing community input or concerns.



Item 6 - File 121-91-4

1. The proposed ordinance would amend Chapter VII, Part II, Article 15.1 of the San Francisco Municipal Code (Police Code) by amending Sections 1060.5 and 1060.20 thereof, relating to standards and deadlines for granting or suspension of Place of Entertainment Permits and would amend Article 15.2 of the Police Code by amending Sections 1070.5 and 1070.17 thereof, relating to standards and deadlines for granting or suspension of Cabaret Permits.

2. Section 1060.5 of the Police Code provides guidelines and regulations for the processing of an application for a permit for a place of entertainment. Section 1070.5 of the Police Code provides guidelines and regulations for the processing of a application for a Cabaret Permit. Currently, under Sections 1060.5 and 1070.5 the legislation provides that when an application is filed for a new permit, the Chief of Police must fix a time and place for a public hearing. Not less than 10 days before such a hearing, the Chief of Police would be responsible for posting a notice of the hearing on the property which the proposed place of entertainment or cabaret is to be operated. Such notice must state the specific type of entertainment which the applicant intends to conduct. The applicants must maintain the notice as posted for the required number of days.

3. The proposed legislation would amend Sections 1060.5 and 1070.5 to provide the following additional provisions:

- (1) A hearing must be held within 20 days of the date the completed application is received.
- (2) The applicant must notify the Chief of Police at the time the application is filed, of any outstanding requests for permits or approvals from other City departments, which relate to the premises of the proposed place of entertainment. The Chief of Police must then notify those departments of the filing of the application and such departments must complete all necessary inspections and report their findings to the Chief of Police within 25 days of the filing date of the application.
- (3) The applicant and other interested parties (i.e., Police Department) will be allowed to present evidence and arguments at the hearing. The Hearing Officer must issue a written statement of his or her conclusions within 10 working days of the close of the hearing. The Chief of Police must make a final decision on the application within 10 working days of the receipt of the Hearing Officer's statement and the Chief of Police must notify the applicant and other interested parties (who have made a written request), of the final decision by first class mail.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



- (4) The Chief of Police must grant a permit unless, the building, structure, equipment or location of the proposed place of entertainment does not (1) comply with the health, zoning, fire and safety regulations of the State of California or any City ordinances which apply, (2) have the potential to adequately accommodate the type and volumes of vehicles and pedestrian traffic anticipated, or (3) have adequate safeguards to prevent emissions of noise, glare, dust and odor that substantially interfere with the public peace, health, safety and welfare.
- (5) An applicant whose application has been denied may seek immediate judicial review pursuant to the Code of Civil Procedure Section 1085 or Section 1094.5.

4. Section 1060.20 of the Police Code outlines the conditions under which a permit issued for a place of entertainment may be revoked or suspended by the Chief of Police. Section 1070.17 of the Police Code outlines the conditions under which a cabaret permit may be revoked or suspended by the Chief of Police. Currently, Sections 1060.20 and 1070.17 provide that a permit can be revoked or suspended by the Chief of Police, if he or she determines, after a public hearing, that the following conditions exist:

- (1) The conduct of the establishment is not or would not be in harmony with the public welfare for any reasons.
- (2) The establishment has been operated in an illegal, improper or disorderly manner.
- (3) The proprietor or persons in charge have violated or permitted any infraction of any law of the State or any City Ordinance.
- (4) The permittee, or any person associated with him as principal or partner or as a business associate exercising control over the conduct of the establishment, has been convicted of any offense involving the presentation, exhibition or performance of a lewd, indecent or obscene show or of a crime involving moral turpitude.

5. The proposed legislation would amend Sections 1060.20 and 1070.17 to delete reference to revocation of a permit and would outline conditions under which a permit may be suspended. Under the proposed legislation, the Chief of Police may suspend a permit if he or she determines, after a public hearing, that any of the following conditions exist:

- (1) The building, structure, equipment or location of the proposed place of entertainment or Cabaret does not comply with or fails to meet all of the health, zoning, fire and safety regulations of the State or any City ordinances which apply.

- (2) The establishment has been operated in a manner that has harmed the public health, safety or welfare, by significantly increasing pedestrian traffic, the incidence of disorderly conduct or the level of noise and the permittee has failed, after being requested by the Police Department, to alleviate these conditions.
- (3) The proprietor or persons in charge have permitted violations or failed to take reasonable steps, after being requested by the Police Department, to halt violations on the premises, in connection with certain State laws governing criminal activities, business and professional activities and public health and safety.
- (4) The proprietor or persons in charge have violated or permitted the violation of applicable City laws in connection with the operation of the establishment.
- (5) The permittee has knowingly made false, misleading or fraudulent statements in the application for a permit.

The proposed legislation stipulates that the penalty for the first violation under Sections 1060.20 and 1070.17, within a six month period, would be suspension of a permit for thirty days. The second violation would result in the suspension of a permit for sixty days. The third and subsequent violations would result in the suspension of a permit for ninety days.

### Comments

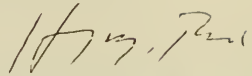
1. Mr. Jeff Barker of the Legal Section of the Police Department, reports that the above noted amendments to the Police Code are being proposed because a Superior Court Judge has ruled that the legislation, as currently written, affords too much latitude to the Chief of Police and is unconstitutional. Mr. Barker advises that the proposed amendments reflect procedural changes in the guidelines and regulations for processing place of entertainment permits and cabaret permits and will not involve any fiscal impact on the City departments responsible for processing these permits.

2. Mr. Barker reports that the proposed legislation may be amended to increase the number of days within which a hearing must be held regarding a new permit. The proposed legislation currently provides that such a hearing must be held within 20 days. Mr. Barker advises that he will be meeting with representatives of the City Attorney's Office on August 8, 1991 to discuss the possibility of amending the proposed legislation.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

Recommendation

Approve the proposed ordinance.



Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board  
Legislative Policy Analysts  
Chief Administrative Officer  
Controller  
Sam Yockey  
Ted Lakey

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CALENDAR - ACTIONS  
TAKEN

DOCUMENTS DEPT.

REGULAR MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

AUG 14 1991  
SAN FRANCISCO  
PUBLIC LIBRARY

TUESDAY, AUGUST 13, 1991 - 2:00 P.M.

ROOM 228, CITY HALL

**PRESENT: SUPERVISORS KENNEDY, MIGDEN, ALIOTO**

**CLERK: KAY GULBENGAY**

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Economic and Social Committee, and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or a member of the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item:

- (a) File 15-91-7. [Taxi Zones] - Consideration of establishment of taxi zone, California Street, south side, from 155 to 243 feet east of Kearny Street (88-foot zone). (Department of Parking and Traffic)

Taxi-Zone - Establish

California Street, south side, from 155 to 243 feet east of Kearny Street (88-foot zone).

- (b) File 18-91-7. [Stop Intersections] Consideration of establishment of Stop intersections, various streets. (Department of Parking and Traffic)

Stop Signs - Establish

Greenwich Street and Steiner Street, southeast and northwest corners, stopping Steiner Street (makes this an all-way Stop).

27th Avenue and Moraga Street, southeast and northwest corners, stopping 27th Avenue traffic.



- (c) File 18-91-8. [Stop Intersections] Consideration of establishing of Stop intersections, various streets. (Department of Parking and Traffic Department.)

Stop Signs – Establish

Halleck Street and Sansome Street, southwest corner, stopping eastbound Halleck Street traffic.

Halleck Street and Battery Street, northeast corner, stopping westbound Halleck Street traffic.

Hayes Street and Lyon Street, northeast and southeast corners, stopping Hayes Street traffic (makes this an all-way Stop).

22nd Avenue and Rivera Street, northeast corner, stopping westbound Rivera Street traffic.

38th Avenue and Wawona Street, northwest and southeast corners, stopping 38th Avenue traffic.

Armstrong Avenue and Keith Street, northwest and southeast corners, stopping Keith Street traffic.

Beverly Street, Holloway Avenue and Lunado Way, northwest and southeast corners, stopping northbound Beverly Street and southbound Lunado Way traffic.

Brussels Street and Ordway Street, northeast and southwest corners, stopping Ordway Street traffic.

Corona Street and Urbano Drive (North Intersection), northwest and southeast corners, stopping Corona Street traffic.

Hernandez Avenue and Laguna Honda Boulevard, northeast and southwest corners, stopping Hernandez Avenue traffic.

Higuera Avenue and Vidal Drive (North Intersection), northwest corner and west center island, stopping southbound Vidal Drive traffic. East center island, stopping southbound service road traffic.

Higuera Avenue and Vidal Drive (South Intersection), southeast corner and center island, stopping northbound Vidal Drive traffic.

Judson Avenue and Phelan Avenue, southwest corner, stopping eastbound Judson Avenue traffic.

Lakeview Avenue and Majestic Avenue, northwest and southeast corners, stopping Majestic Avenue traffic.

Munich Street and Russia Avenue, northwest and southeast corners, stopping Munich Street traffic.





- (d) File 18-91-9. Consideration of establishing of Stop intersections, various streets. (Department of Parking and Traffic)

Stop Signs –Establish

Clementina and Gallagher Streets, southwest and northwest corners (makes this an all-way Stop).

Cole and Page Streets, northeast and southwest corners (makes this an all-way Stop).

Hayes and Cole Streets, northeast and southwest corners (makes this an all-way Stop).

- (e) File 19-91-6.1. Consideration of establishing of parking regulation, 90 Degree Angle Parking from 23rd Street to 26th Street. (Department of Parking and Traffic.)

90 Degree Parking – Establish

Kansas Street, east side, from 23rd Street to 26th Street.

- (f) File 19-91-7. Consideration of establishing and extending of parking regulations, various streets. (Department of Parking and Traffic Department.)

Parking Meter Area 3 – Extend

Broadway, south side, between Davis and Battery Streets (one-hour meters).

Perpendicular (90-Degree) Parking – Establish

Kansas Street, east side, from 28 feet north of 19th Street northerly to 18th Street.

- (g) File 20-91-8. Consideration of establishing of traffic regulations, various streets. (Department of Parking and Traffic)

Tow-Away No Stopping Anytime – Establish

Harrison Street, northside, from FRemont Street to 140 feet easterly (140-foot zone).

Fell Street, southside, from the east line of Shrader Street to Stanyan Street.

Bacon Street, south side, between San Bruno Avenue and Bayshore Boulevard (retaining the bus zone).

Bacon Street, north side, from Bayshore Boulevard to 231 feet westerly (231-foot zone).

Tow-Away No Parking Anytime – Establish

Halleck Street, both sides, between Sansome Street and Battery Street.

Right Turn Only – Establish

Fern Street, westbound, at Franklin Street.

No U-Turn – Establish

Kezar Drive, eastbound and westbound, at Martin Luther King Drive.



- (h) File 20-91-9. Consideration of establishing and rescinding of traffic regulations, various streets.

Midblock Crosswalk – Establish

Winston drive, at approximately 540 feet east of Lake Merced boulevard.

Tow Away No Stopping Anytime – Establish

Winston Drive, north side, from approximately 540 feet to 640 feet east of Lake Merced Boulevard (100-foot zone).

Winston Drive, south side, from approximately 440 feet to 540 feet east of Lake Merced Boulevard (100-foot zone).

Kearny Street, east side, from 150 feet north of Geary Street to Post Street.

Stockton Street, west side, from Sutter Street to 140 feet northerly (140-foot zone).

Left Lane Must Turn Left – Establish

Folsom Street, southbound, at Army Street

No U-Turn – Establish

Portola Drive, eastbound, at Laguna Honda Boulevard.

Tow Away, No Stopping, 7-9 A.M. and 4-6 P.M., Monday thru Friday – Rescind

California Street, south side, from 155 to 243 feet east of Kearny Street (88-foot zone).

- (i) File 20-91-10. Consideration of establishing and rescinding of traffic regulations, various streets. (Department of Parking and Traffic)

One-Way Street – Establish

Pleasant Street, between Taylor and Jones Streets, one-way westbound.

Tow Away No Stopping 4 P.M. – 6 P.M. Monday through Friday – Rescind

Front Street, west side, between Pine and California Streets.

No Turn on Red – Rescind

Sansome Street, northbound, at Broadway.

No U-Turn – Establish

Army Street, westbound, at Guerrero Street.

ACTION: Consent Calendar recommended.



- (a) File 15-91-7. Hearing held. DPT recommendations recommended. Resolution prepared in and reported out of committee entitled:  
"Establishing of taxicab stand on various streets."  
Recommended.
- (b) File 18-91-7. Combined with File 18-91-9.
- (c) File 18-91-8. Combined with File 18-91-9.
- (d) File 18-91-9. Hearing held. DPT recommendations recommended. Files 18-91-7 and 8 combined herewith. Resolution prepared in and reported out of committee entitled:  
"Designating certain intersections as Stop intersections."  
Recommended.
- (e) File 19-91-6.1. Combined with File 19-91-7.
- (f) File 19-91-7. Hearing held. DPT recommendations recommended. File 19-91-6.1 combined herewith. Resolution prepared in and reported out of committee entitled: "Enacting of parking regulations on various streets."  
Recommended.
- (g) File 20-91-8. Combined with File 20-91-10.
- (h) File 20-91-9. Combined with File 20-91-10.
- (i) File 20-91-10. Hearing held. DPT recommendations recommended. Files 20-91-8 and 9 combined herewith. Resolution prepared in and reported out of committee entitled:  
"Enacting of traffic regulations on various streets."  
Recommended.

### REGULAR CALENDAR

- 2. File 40-91-5.1. [Parking of Vehicles] Resolution extending boundaries of residential permit parking area "S" in the Duboce triangle area and adding Sanchez Street, between 19th Street and Hancock Street, both sides to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic.)

ACTION: Hearing held. Recommended. Transferred to Finance Committee.

- 3. File 115-91-8. [Zoning Text Amendment – Bush Street Cottage Row] Ordinance amending City Planning Code by adding Appendix K to Article 10, to provide for the establishment of the Bush Street-Cottage Row Historic District. (Department of City Planning)

(Approved by City Planning Commission Resolution No. 13116.)

ACTION: Hearing held. Recommended.

- 4. File 97-91-4. Hearing to consider allegations of abuse of permit process in connection with closing of Castro Street for Pink Saturday and to consider changes in process to protect against future abuse. (Supervisors Britt and Hallinan)

ACTION: Hearing held. Filed. (Supervisors Migden and Alioto added as co-sponsors.)





5. File 13-91-15. Hearing to consider the closure and/or abandonment of the main post office at Seventh and Mission Streets. (Supervisors Britt, Gonzalez, Hallinan)

ACTION: Hearing held. Continued to August 27, 1991 meeting.

6. File 121-91-4. [Places of Entertainment and Cabarets] Ordinance amending Police Code by amending Sections 1060.5 and 1060.20, relating to standards and deadlines for granting or suspension of place of entertainment permits, and amending Sections 1070.5 and 1070.17 relating to standards and deadlines for granting or suspension of cabaret permits. (Supervisor Kennedy)

ACTION: Hearing held. Amendment of the whole (as presented by Supervisor Kennedy) adopted. Entitled:

"Amending Chapter VII, Part II, Article 15.1 of the San Francisco Municipal Code (Police Code) by amending Sections 1060, 1060.3, 1060.5, 1060.20 and 1060.27 thereof, relating to regulation of places of entertainment, amending Article 15.2 of the San Francisco Municipal Code (Police Code) by amending Sections 1070.3, 1070.5 and 1070.17 thereof, relating to regulation of cabarets, and staying any prior suspension or revocation currently in litigation."  
Recommended.

7. File 13-91-20. [Croatian and Slovenian Communities] Resolution supporting United States recognition of Croatian and Slovenian independence. (Supervisors Kennedy and Achtenberg)

ACTION: Hearing held. Amended on page 2 on line 2 by replacing "Resolved, by adoption of this resolution on behalf of all the people of the City and County of San Francisco, recognizes the new nations of Croatia and Slovenia, their sovereignty and right to exist free from external threat or force of arms" with "Resolved, That the Board of Supervisors of the City and County of San Francisco expresses its deep sorrow over the loss of life and widespread injury in the Croatian and Slovenian Republics and expresses its great admiration for the courageous acts of those individuals who are risking their lives for the cause of freedom and democracy."  
Recommended as amended.



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CITY AND COUNTY



Public Library, Documents Dept.  
ATTN: Gerry Roth  
OF SAN FRANCISCO

**BOARD OF SUPERVISORS**

**BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

August 22, 1991

**DOCUMENTS DEPT.**

**TO:** Economic and Social Policy Committee

**FROM:** Budget Analyst - Recommendation

**SUBJECT:** August 27, 1991 Economic and Social Policy Committee Meeting

AUG 26 1991

SAN FRANCISCO  
PUBLIC LIBRARY

Item 2 - File 13-91-15

**Note:** This item was continued from the Economic and Social Policy Committee meeting on August 13, 1991.

1. This item is a hearing to consider the closure and/or abandonment of the Main Post Office at 7th and Mission Streets.

2. Mr. John O'Keefe, Manager of Support Services, of the San Francisco Post Office reports that the Main Post Office at 7th and Mission Streets was closed following the earthquake that occurred on October 17, 1989. Mr. O'Keefe advises that the facility, which is owned by the Federal General Services Administration (GSA), sustained extensive damage and was condemned. According to Mr. O'Keefe, the Post Office has no future plans to restore postal services at this facility. Mr. O'Keefe reports that the postal services, which were provided at the 7th and Mission Streets facility, are now being provided at three separate postal facilities at the following locations:

Location

1) 101 Hyde Street

Services Provided

Post Office Boxes  
General Delivery  
Firm Callers  
Seaman Will-Call Unit

2) 390 Main Street

Carrier Services  
Delivery Services

3) 1390 Market Street

Retail Services

3. Mr. O'Keefe advises that the closure of the 7th and Mission Streets facility did not result in any transfer of services to the City Hall postal facility. Mr. Harry Quinn reports that under the City's lease with the San Francisco Post Office, the Post Office pays the City \$1 per month for the rental of the City Hall facility. Mr. Quinn advises that the reason the monthly rental is only \$1 per month is because, the postal facility offers convenient services to the City departments located in, as well as outside, City Hall.

4. Ms. Mary Filippini, Executive Assistant to the Regional Administrator, of the GSA reports that the facility at 7th and Mission Streets is scheduled to undergo construction and renovation, which will begin in approximately one year. It is anticipated that the project would be completed within a two to three year period. Ms. Filippini advises that when construction is completed, the area which previously housed the Main Post Office will be used as expanded space for the U. S. Court of Appeals.

5. Mr. Alan Manning and Mr. Paul Lovinger, residents of San Francisco, have registered complaints with the San Francisco Post Office and have petitioned the U.S. Postal Rate Commission regarding the closure of the Main Post Office. Mr. Manning and Mr. Lovinger have advised that their concerns include, but are not limited to, the following:

- (1) The Main Post Office facility at 7th and Mission Streets, which opened in 1905, had significant historical and architectural value and should be preserved.
- (2) Due to the closure of the facility, the Post Office Box numbers have been changed, which has resulted in inconvenience, additional costs and the potential loss of correspondence to businesses as well as individuals.
- (3) Full postal services, which were provided at the Main Post Office, are now provided at several separate locations, which has resulted in significant inconvenience to post office patrons in the South of Market and Tenderloin areas as well as other parts of the City.
- (4) Some services, such as the 24-hour guard services and access to Post Office Box services for 18 hours a day 365 days a year, which were provided at the Main Post Office, are no longer available.
- (5) The Main Post Office was closed without adequate notification to patrons and without addressing community input or concerns.

**Comment**

A draft resolution has been prepared, which would urge the Federal government to (1) restore to its pre-earthquake condition, to the maximum extent possible, and to maintain for posterity the Main Post Office at 7th and Mission, and (2) maintain the Box Office numbers and Zip Codes assigned to the postal patrons of the Main Post Office. Additionally, the proposed resolution would urge the Mayor to request the City's Federal Legislative Advocate to work with the San Francisco Legislative Delegation in Washington, D.C. to carry out the intent of this resolution as speedily as possible. The proposed draft resolution will be submitted at the Economic and Social Policy Committee meeting on August 27, 1991.





Item 3 - File 43-91-6

The proposed resolution would support the Mayor's action challenging the U.S. Commerce Secretary's refusal to revise the 1990 U.S. Census population figures, despite evidence that more than 5 million people nationwide were overlooked in the original count.

The 1990 Census determined that the population of the City and County of San Francisco is 723,959. However, a subsequent survey conducted by the Census Bureau found that the original Census undercounted the population by 33,000 in San Francisco. According to the proposed resolution, the survey indicated that the undercounts were disproportionately distributed, with the inner city residents and minorities more likely to be undercounted.

The Mayor is pursuing a legal challenge of the U.S. Commerce Secretary's decision, in conjunction with other cities, based on the impact such a decision has on the residents of San Francisco. According to Ms. Martie Moore of the City Attorney's Office, the City's estimated share of the legal costs for the class action legal suit is \$25,000. This \$25,000 will be introduced as a supplemental appropriation at a future date.

Comments

1. The following is a list of funding the City receives that is in whole or in part based on data from the U.S. Census:

- **Community Development Block Grant (CDBG)**-- Based on a formula that considers the low-income population, the number of housing units and the number of dilapidated housing units. The City received approximately \$16.6 million in calendar year 1991.
- **Job Training Partnership Act Funds (JTPA)**-- Funding is based on the number of unemployed persons and the number of persons in poverty that are in part provided by the Census. Ms. Eunice Elton of the Private Industry Council reports that the 1990 Census undercount could result in the City receiving approximately \$350,000 less in JTPA funds.
- **Highway Act Funds (HAF)**-- Funding for street maintenance or new road projects which is based, in part, on Census counts. HAF funds are project specific.
- **Federal Aid Urban Funds (FAU)**-- Funds are distributed for resurfacing projects which are based, in part, on Census counts. The City receives approximately \$3 million annually in FAU funds.

- **Cigarette Tax--** Collected by the State and distributed back to the counties based on population and the local sales tax rate. The City budgeted approximately \$19 million in Proposition 99 Tobacco Tax revenue and Cigarette Tax monies for FY 1991-92.

- **Gasoline Tax--** Collected by the State and distributed back to the cities based on population and to the counties based on the number of vehicle registrations. The City budgeted approximately \$18.8 million in Gas Tax revenues for FY 1991-92.

- **Motor Vehicle License Fee--** Distributed to the counties based entirely on population. The City budgeted approximately \$63.6 million in Motor Vehicle License Fee revenue for FY 1991-92.

2. The Department of Social Services and MUNI report that they do not receive funding based on the City's population. DPH's Community Mental Health Services used to receive the Short Doyle Funds according to population, but the State recently changed its Short Doyle funding formula.

3. The Health Commission adopted the proposed resolution at its August 6, 1991 meeting.

### Recommendation

The proposed resolution is a policy matter for the Board of Supervisors.

Item 4 - File 188-91-8

1. This item is a hearing to consider amending the Housing Code and other relevant codes to require the installation of water saving devices (low-flow showerheads, faucet aerators, toilet retrofit kits) in all single family residential buildings within a three-year period, and to require that owners of these buildings file an affidavit with the Water Department certifying completion of this installation.

2. Mr. John Mullane of the Water Department reports that, although the Water Department has not done a formal survey, he believes the number of single family residential buildings in the City, which are currently retrofitted with water saving devices, is minimal.

3. Mr. Mullane advises that a conservative estimate of the amount of water that could be saved by the City if water saving devices were installed in all single family residential buildings, is as follows:

	<u>Without</u> <u>Water Saving</u> <u>Devices</u>	<u>With</u> <u>Water Saving</u> <u>Devices</u>	<u>Total</u> <u>Savings</u>
Shower	60 gallons per person per day (6 gal/min. x 10 mins.)	25 gallons/person/ day (2.5 gal./min. x 10 mins.)	35 gallons
Toilet	28 gallons per person per day (7 gal x 4 flushes)	8 gallons/person/ day (2 gal. x 4 flushes)	20 gallons
		Total	*55 gallons

\* 55 gallons times 2.6 persons per single-family residence (1990 census) equals 143 gallons saved per household per day. The 143 gallons times an estimated 106,000 single family residences in the City equals a savings of approximately 15.2 million gallons per day. The 143 gallons saved per day equates to eleven units of water saved over a two-month period. Based on \$0.94 per unit of water, individual households would realize a savings every two months of \$10.34 in water charges. Additionally, individual households would save \$34.46 in sewer service charges every two months, for a total savings of \$44.80 every two months or a savings of \$268.80 annually.

4. According to Mr. Mullane, the average cost of a low-flow showerhead, a faucet aerator and a toilet retrofit kit is \$5.00-\$10.00, \$2.00 and \$9.00 respectively. Based on a single family residence requiring one low-flow showerhead, two faucet aerators and one toilet retrofit kit, Mr. Mullane estimates the average cost for materials per residential unit would be \$18.00 to \$23.00. Mr. Mullane adds that

while installation of these water saving devices is not difficult, if individuals choose to have the water saving devices installed by a plumber the cost for materials and labor could average \$80.00 to \$100.00.

5. Mr. Mullane projects that the cost for the Water Department to process affidavits, which would certify that owners of single family residential buildings have installed water saving devices, would be minimal. Mr. Mullane estimates the Department would require an additional \$5,000 to \$10,000 for data entry services.

6. Mr. Mullane advises that the Department supports the intent of the proposal to amend the Housing Code and other codes to require the installation of water saving devices in all single family residential buildings.

**Comment**

As noted above, implementation of this proposal could result in a savings of water usage of 15.2 million gallons of water in connection with the approximately 106,000 single family residences in the City.



Items 5, 6 and 7 - Files 36-91-7, 36-91-7.1 and 115-91-9

1. Item 5 (File 36-91-7) is a resolution adopting a Final Negative Declaration of Environmental Impact, finding and determining that reclassification of property to include six additional lots within the boundaries of the Nob Hill Special Use District would have no significant effect on the environment.

Item 6 (File 36-91-7.1) is an ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 1208-50 Jones Street, 1275 Clay Street and 1298 Sacramento Street. The property includes Lots 27, 30, 43-55, 58-88, 90, 125 and 132-142 (formerly Lot 126) in Assessor's Block 217. Lots 27, 43 and 125 and portions of Lots 44/45, 58/88 and 90 are within an RM-4 District (Mixed Residential, High Density) and Lots 30, 132-142 and the remainder of Lots 44/55, 58/88 and 90 are within an RM-3 District (Mixed Residential, Medium Density). The proposed changes would include said property within the boundaries of the Nob Hill Special Use District.

Item 7 (File 115-91-9) is an ordinance amending Part II, Chapter II, of the San Francisco Municipal Code (City Planning Code) by amending Section 238 thereof, relating to eating and drinking uses, private clubs, awnings, canopies and marquees, and finding consistency with the priority policies set forth in City Planning Code Section 101.1.

2. Section 238 of the City Planning Code establishes the Nob Hill Special Use District and outlines the provisions governing the use of this District. Currently, Section 238 provides the following:

a) A hotel, inn or hostel, as described in Section 209.2(e) of the City Planning Code, may be permitted by the City Planning Commission as a conditional use.

b) In connection with any permitted principal use (i.e., residential) or conditional use (i.e., hotel, inn, or hostel) located in the Special Use District, incidental commercial uses (i.e., restaurants, barber shops), may be permitted by the City Planning Commission as a conditional use, if these uses are (1) designed primarily for occupants of and visitors to the above described principal and conditional uses and (2) accessible to the general public only from within the building and not identified outside the building by means of any sign or signs.

3. The proposed legislation would amend Section 238 to add the following provisions:

c) A private lodge, private clubhouse, private recreational facility or community facility other than as specified in City Planning Code Section 209.4 and which is not operated as a for-profit business may be permitted by the City Planning Commission as a conditional use.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



d) Eating and drinking uses with the exception of large fast food restaurants, may be permitted by the City Planning Commission as a conditional use under Section 303 of the City Planning Code. With regard to such uses, the limitations on design, accessibility and identification as outlined in Section 238, Subsection (b) above, would not apply.

e) Signs in connection with principal permitted uses or eating and drinking uses will be limited, as per Section 606 of the Planning Code, with the exception of signs in the form of canopies and awnings which will be permitted for eating and drinking uses in place of wall signs unless otherwise limited as a condition of approval of a conditional use permit.

f) The various uses provided for under Section 238 are not permitted in any portion of a building which is devoted to a dwelling unit or to group housing as defined in Section 209.2(a) of the City Planning Code.

g) Awnings, canopies and marquees, as regulated in Section 136.3 of the City Planning Code, will be permitted in the Nob Hill Special Use District.

4. The Department of City Planning reports that the proposed uses for the Nob Hill Special use District as outlined in the proposed amendments to Section 238 of the City Planning Code, are consistent with the eight priority policies contained in Section 101.1 of the City Planning Code.

5. Mr. Jim Miller of the Department of City Planning reports that under the current legislation, the provisions governing the use of the Nob Hill Special Use District are geared primarily towards high density residential usage as well as commercial hotels with minor accessory commercial uses to serve them. The proposed amendments to the City's Planning Code (File 115-91-9) are aimed at strengthening and protecting the residential code and at the same time, liberalizing controls on the operating conditions of bars and restaurants.

6. Mr. Miller reports that a restaurant located on the east side of Jones Street, between Clay and Sacramento Streets, is currently open to the general public, which is not a permitted use in this area. According to Mr. Miller, the restaurant was originally established as a private dining room for residents of the 1250 Jones Street building. However, over a period of time, it evolved into a restaurant which was open to the general public. Mr. Miller advises that the Department of City Planning is proposing to rezone the property located at 1208-50 Jones Street, 1275 Clay Street and 1298 Sacramento Street (File 36-91-7.1) to permit the continued operation of the restaurant.

7. The proposed resolution (File 36-91-7) would adopt the Negative Declaration that the reclassification of property to include six additional ground lots within the boundaries of the Nob Hill Special Use District would have no significant effect on the environment.

8. The proposed ordinance (File 36-91-7.1) would change the zoning classification for the 1208-50 Jones Street, 1275 Clay Street and 1298 Sacramento Street property as follows:

Current

Mixed Residential, High Density (Lots 27, 43, 125 and portions of Lots 44-55, 58-88 and 90) and Mixed Residential, Medium Density (Lots 30, 132-142 and the remainder of Lots 44-55, 58-88 and 90) districts.

Proposed

Mixed Residential, High Density (Lots 27, 43, 125 and portions of Lots 44-55, 58-88 and 90) and Mixed Residential, Medium Density (Lots 30, 132-142 and the remainder of Lots 44-45, 58-88 and 90) districts and the Nob Hill Special Use District.

Comment

The Department of City Planning reports that the Assessor's Block 217 referenced in the proposed ordinance to amend the Zoning Map of the City (File 36-91-7.1), is incorrect and should be corrected to read Assessor's Block 221.

Recommendations

1. Approval of the proposed resolution adopting a Final Negative Declaration of Environmental Impact (File 36-91-7) is a policy matter for the Board of Supervisors.

2. Amend the proposed ordinance (File 36-91-7.1) to delete Assessor's Block 217 and add Assessor's Block 221. Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

3. Approval of the proposed ordinance amending Section 238 of the City Planning Code (File 115-91-9) is a policy matter for the Board of Supervisors.



Item 8 - File 97-91-44

The proposed ordinance would amend the City's Administrative Code by amending Section 12D.11 relating to the procurement of professional architectural and engineering services from Latino owned architect and engineering firms and the procurement of medical services from Black owned medical services providers.

Description

Chapter 12D of the San Francisco Administrative Code, known as the MBE/WBE/LBE Ordinance concerns the award of prime contracts for construction, certain goods, supplies, materials, equipment, general and professional services. This ordinance extends benefits only to economically disadvantaged San Francisco based businesses. Since July 1, 1989, economically disadvantaged Latino owned architectural/engineering businesses and economically disadvantaged Black owned medical services providers have not been eligible for a MBE bid preference.

According to the Human Rights Commission (HRC), these MBE firms were excluded from the MBE/WBE/LBE ordinance because statistical evidence suggested that Latino owned architectural/engineering businesses and Black owned medical services were receiving City contracts relative to their market shares. However, according to HRC, the numbers of these types of firms in San Francisco are very small, making such a statistical test irrelevant. A recent Federal Court decision in the State of Washington ruled that if statistical evidence were not relevant, anecdotal evidence could be used to establish discriminatory procurement practices.

As a result, the proposed ordinance would amend the City's Administrative Code relating to race and gender-conscious bid preferences for consultants and professional services to include the following new sections:

- The evidence before this Board of Supervisors relating to the award of prime architect and engineering contracts for fiscal year 1989-90 reflects that Latino owned architectural/engineering firms have not been awarded any contract dollars notwithstanding the available numbers of Latino owned architectural/engineering firms willing and able to perform, these services for the City. Based on the statistical and other evidence before the Board, the Board concludes that the lack of participation by Latino owned architectural and engineering firms on prime architectural/engineering contracts cannot be attributed to chance. This Board finds that these results can only be attributed to discriminatory procurement practices.

• The evidence before this Board of Supervisors relating to the award of prime medical services contracts for fiscal year 1989-90 reflects that Black owned medical services firms are awarded contract dollars in amounts that are disproportionately lower than the available numbers of Black owned medical services firms willing and able to perform these services for the City.

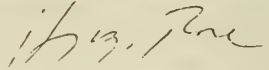
### Comments

1. As of August 9, 1991, the Human Rights Commission (HRC) has certified eight Latino male owned architect and engineering firms, three Latino female owned architect and engineering firms and five Black owned medical services firms.

2. The proposed amendment would change existing law by extending a ten percent bid preference to business enterprises owned and controlled by Latino architectural/engineering firms as well as to Black medical services firms. As a result, the proposed ordinance would have an indeterminable amount of fiscal impact on the City. The degree of the impact would depend on the amount of the potential contracts and the differences in the bid amounts of the MBE and WBE firms with firms which are not MBE or WBE firms.

### Recommendation

The proposed ordinance is a policy matter for the Board of Supervisors.

  
Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board  
Legislative Policy Analysts  
Chief Administrative Officer  
Controller  
Sam Yockey  
Ted Lakey

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



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8/27/91

CALENDAR - ACTIONS TAKEN

REGULAR MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, AUGUST 27, 1991 - 2:00 P.M.

ROOM 228, CITY HALL

PRESENT: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

ABSENT: SUPERVISOR ALIOTO - ITEM 1

DOCUMENTS DEPT.

CLERK: KAY GULBENGAY

SEP 3 1991

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CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Economic and Social Policy Committee, and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or a member of the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item:
  - (a) File 18-91-10. Consideration of installation of Stop intersections at Amber Drive, Duncan Street and Red Rock Way, southeast and northwest corners, stopping Duncan Street traffic (making this intersection an all-way stop). (Department of Parking and Traffic)
  - (b) File 19-91-9. Consideration of establishing parking regulations, Two-Hour Parking Limit, 7 A.M. to 6 P.M., Monday through Saturday, Oak Street, both sides, between Van Ness Avenue and Franklin Street. (Department of Parking and Traffic)
  - (c) File 19-91-10. Consideration of establishing perpendicular (90 Degree) parking regulations, Fitzgerald Avenue, north side, between Jennings and Ingalls Streets. (Department of Parking and Traffic.)





- (d) File 20-91-11. Consideration of establishing and rescinding of traffic regulations, various streets. (Department of Parking and Traffic.)

No U-Turn – Establish

The Embarcadero, northbound, at Bay Street.

Tow Away No Stopping, Except Van Pools and Commuter Buses, 7 A.M. to 9 A.M. and 3 P.M. to 6 P.M. – Rescind

Drumm Street, from 20 feet to 86 feet south of Washington Street (66 foot-zone, at meters #219, #221 and #223).

Tow Away No Stopping Anytime – Establish

Mission Street, south side, between 4th and 5th Streets.

No Turn on Red, 7 A.M. to 8 P.M. Everyday – Establish

Howard Street, westbound, at 4th Street.

4th Street, southbound, at Howard Street.

Tow Away No Parking Anytime – Establish

1301 Potrero Avenue from 106 feet to 159 feet south of 25th Street (53 – foot zone).

2789 – 25th Street from 47 feet to 88 feet east of Potrero Avenue (41-foot zone).

1498 Utah Street from 138 feet to 194 feet south of 25th Street (56-foot zone, starting from the south building line to 56 feet southerly).

Utah Street, 194 feet south of 25th Street from the west side of the dead-end to 35 feet east (35-foot zone).

- (e) File 20-91-12. Consideration of establishing of traffic regulations, various streets. (Department of Parking and Traffic)

Tow Away No Stopping Anytime – Establish

Powell Street, west side, from Geary Street to 50 feet northerly. (Note: This 50 foot zone is to accommodate a short right-turn-only lane).

Presidio Avenue, west side, from Jackson Street to 18 feet southerly (18-foot zone for Muni trolley bus turn clearance).

Army Street, north side, from Connecticut Street to approximately 200 feet west of Evans Avenue (480-foot zone).

Army Street, south side, from the east line of Connecticut Street to approximately 200 feet west of Evans Avenue (550-foot zone).

Tow Away Lane Must Turn Right – Establish

Powell Street, southbound, at Geary Street.

ACTION: Consent Calendar recommended.



- (a) File 18-91-10. Hearing held. DPT recommendations recommended. Resolution prepared in and reported out of committee entitled: "Designating "Stop" Intersection at Amber Drive, Duncan Street and Red Rock Way." Recommended.
- (b) File 19-91-9. Hearing held. Combined with File 19-91-10.
- (c) File 19-91-10. Hearing held. DPT recommendations recommended. File 19-91-9 combined herewith. Resolution prepared in and reported out of committee entitled: "Enacting of parking regulations on various streets." Recommended.
- (d) File 20-91-11. Hearing held. Combined with File 20-91-12.
- (e) File 20-91-12. Hearing held. DPT recommendations recommended. File 20-91-11 combined herewith. Resolution prepared in and reported out of committee entitled "Enacting traffic regulations on various streets." Recommended.

### REGULAR CALENDAR

- 2. File 13-91-15. Hearing to consider the closure and/or abandonment of the main post office at Seventh and Mission Streets. (Supervisors Britt, Gonzalez, Hallinan)  
(Continued from 8/13/91)

ACTION: Hearing held. Resolution prepared in and reported out of committee as amended. (See File for details)  
Entitled: "Urging the Federal Government to restore to its pre-earthquake condition, to the maximum extent possible, and to maintain for posterity the main post office, located at 7th and Mission, and to maintain the box office numbers and zip codes assigned to the postal patrons of the main post office; and urging the Mayor to request the City's Federal Legislative advocate to work with the San Francisco Legislative Delegation in Washington, D.C., with the direction to take all actions necessary and appropriate to carry out the intent of this resolution as speedily as possible."  
Recommended as amended.

- 3. File 43-91-6. [Policy - Federal Census] Resolution supporting the Mayor's action challenging the U.S. Commerce Secretary's refusal to revise the 1990 U.S. Census population figures, despite evidence that more than 5 million people nationwide were overlooked in the original count. (Health Commission)

ACTION: Hearing held. Recommended. Transferred to Finance Committee.



4. File 188-91-8. Ordinance amending Part II, Chapter 12 of the San Francisco Municipal Code (Housing Code) by amending Chapter 12A thereto to require compliance with water conservation requirements by residential buildings of R-3 occupancy within three years. (Supervisor Migden)

ACTION: Hearing held. Recommended. (Supervisor Alioto added as co-sponsor.)

5. File 36-91-7. [Negative Declaration] Resolution adopting final negative declaration of environmental impact, finding and determining that a reclassification of property to include six additional lots within the boundaries of the Nob Hill Special Use District would have no significant effect on the environment. (Supervisor Maher)

ACTION: Hearing held. Recommended.

6. File 36-91-7.1. [Zoning Map Amendment] Ordinance adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 1208-50 Jones Street, 1275 Clay Street and 1298 Sacramento Street, Lots 27, 30, 43, 44-55, 58-88, 90, 125 and 132-142 (formerly Lot 126) in Assessor's Block 217 within an RM-4 (Mixed Residential, High Density) District (Lots 27, 43 and 125 and portions of Lots 44/55, 58/88 and 90) and an RM-3 (Mixed Residential, Medium Density) District (Lots 132-142 and the remainder of Lots 44/55, 58/88 and 90) to include said property within the boundaries of the Nob Hill Special Use District. (Supervisor Maher)

(Approved by City Planning Resolution No. 12056.)

ACTION: Hearing held. Amended on page 1 line 5 by replacing "217" with "221".  
Entitled: "Adopting changes in property use classification as an amendment to the Zoning Map of the City and County of San Francisco of property located at 1208-50 Jones Street, 1275 Clay Street and 1298 Sacramento Street, Lots 27, 30, 43, 44-55, 58-88, 90, 125 and 132-142 (formerly Lot 126) in Assessor's Block 221 within an RM-4 (Mixed Residential, High Density) District (Lots 27, 43 and 125 and portions of Lots 44/55, 58/88 and 90) and an RM-3 (Mixed Residential, Medium Density) District (Lots 132-142 and the remainder of Lots 44/55, 58/88 and 90) to include said property within the boundaries of the Nob Hill Special Use District. (Supervisor Maher)  
Recommended as amended.

7. 115-91-9. [Nob Hill Special Use District] Ordinance amending City Planning Code, by amending Section 238 thereof, relating to eating and drinking uses, private clubs, awnings, canopies, and marquees, and finding consistency with the priority policies set forth in City Planning Code Section 101.1. (Supervisor Maher)

(Approved by City Planning Resolution No. 13117.)  
(General Rule exclusion from Environmental Review.)

ACTION: Hearing held. Recommended.

8. File 97-91-44. [Minority, Women and Local Business Enterprises] Ordinance amending Administrative Code by amending Section 12D.11 relating to the procurement of professional architectural and engineering services from Latino owned architect/engineering firms and the procurement of medical services from Black owned medical services providers. (Supervisor Kennedy)

ACTION: Hearing held. Recommended.





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CITY AND COUNTY



OF SAN FRANCISCO

**BOARD OF SUPERVISORS**

**BUDGET ANALYST**

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

September 5, 1991

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**TO:** Economic and Social Policy Committee

**FROM:** Budget Analyst - Recommendation

**SUBJECT:** September 10, 1991 Economic and Social Policy Committee Meeting

Item 2 - File 114-91-9

The proposed ordinance would amend the City's Municipal Code (Building Code) by adding Chapter 53B to require installation of water conservation devices in existing commercial buildings, including tourist hotels and motels, upon title transfer or major improvement, and in any event, no later than three years from the effective date of the proposed ordinance.

**Description**

A similar ordinance which amended the City's Housing Code to require water saving devices in multiple residential buildings has been previously approved by the Board of Supervisors, and another similar ordinance which would apply to all single family residential buildings is pending final passage at the Board of Supervisors meeting on September 9, 1991.

As noted above, the proposed ordinance would apply to commercial buildings, including tourist hotels and motels, and would require the installation of low-flow showerheads which allow the flow of no more than 2.5 gallons or water per minute, faucet aerators where existing plumbing fixtures can be retrofitted, and a device designed to reduce the amount of water used per flush in toilets. Such installations would occur upon title transfer of the property, or for building additions when the addition increases the floor area more than ten percent, or in building alterations and improvements where the total cost of construction is estimated to be greater than \$50,000.

A private inspector would perform a water conservation inspection concurrently with an already required energy conservation inspection. An inspection form would be provided by the DPW's Bureau of Building Inspection. The Water Department would process an affidavit signed by the owner affirming that the water conservation devices required have either been installed or compliance is not required in a building addition which does not increase the building by more than ten percent or where building alterations are not in excess of \$50,000.

### **Comments**

1. Mr. Peter Burns of the DPW's Bureau of Building Inspection reports that there are approximately 14,207 commercial buildings, and approximately 24,000 tourist hotel and motel rooms in the City. However, Mr. John Mullane of the Water Department reports that the amount of water which could be saved under the proposed ordinance would be difficult to estimate because the amount of water usage would vary depending upon the type of businesses which are located in these commercial buildings. Mr. Mullane indicates that assuming an average shower would take approximately 10 minutes, water usage could be reduced from approximately 60 gallons per day per person to approximately 25 gallons per day per person, for a total water savings of approximately 35 gallons per person per day. Mr. Franz Hansell of the Water Department reports that most commercial buildings have tankless toilets, which would save approximately one gallon per flush after the installation of water saving devices. Mr. Mullane estimates that tank toilets which are normally found in family residences would save approximately five gallons per flush after the installation of water saving devices. Mr. Mullane also estimates that the amount of water saved from faucet aerators would be minimal.

2. Commercial building owners and tourist hotel and motel owners would be required to pay for the installation of water saving devices. According to Mr. Mullane, the average cost of a low-flow showerhead, a faucet aerator and a toilet retrofit kit for a tank toilet is \$5.00-\$10.00, \$2.00 and \$9.00 respectively. Mr. Hansell reports that the cost to retrofit a tankless toilet found in most commercial buildings would be approximately \$10.00 to \$18.00.

3. Mr. Mullane projects that the cost for the Water Department to process affidavits, which would certify that owners have installed water saving devices would be minimal. The associated costs would include a one time programming cost of approximately \$5,000 to \$10,000. In addition to the one time programming costs, there would be associated data entry costs which Mr. Mullane estimates would be a total of approximately \$5,000 to \$10,000 to process all of the affidavits from commercial building owners, tourist hotels and motels, and including the single and multiple family residential buildings covered under related ordinances. Therefore, the total additional cost to the Water Department to process the affidavits for the proposed ordinance, and for the two related ordinances would be approximately \$10,000 to \$20,000.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

4. According to Mr. Mullane, although the Water Department has not done a formal survey, he believes the number of commercial buildings in the City which are currently retrofitted with water savings devices is minimal. However, Mr. Mullane indicates that he expects more retrofitting to exist in tourist hotels and motels.

5. Although there are difficulties in measuring overall water savings to the City under the proposed ordinance, Mr. Mullane advises that the estimated savings to owners of commercial buildings and tourist hotels and motels in their water bills would be approximately \$3-4 per unit of water saved (one unit = approximately 748 gallons), and this savings would more than offset the cost to retrofit commercial buildings with the proposed water saving devices.

### **Recommendation**

Approval of the proposed ordinance is a policy matter for the Board of Supervisors.



Item 3 - File 124-91-6

The proposed ordinance would amend Part II, Chapter XI of the City's Traffic Code by adding Section 49 to Article 3 providing for November and December holiday parking and traffic regulations.

**Description**

During the 1990 holiday shopping season - between the day after Thanksgiving through New Years Day - the Department of Parking and Traffic (DPT) organized a coordinated effort to manage transportation conditions in the Union Square area. The intent was to improve the movement of traffic and reduce traffic congestion around Union Square during the holiday season. Major elements of this program included: efforts to improve parking, traffic, and transit conditions; provision of public information; maximization of the effectiveness of the parking and traffic enforcement program; and reduction of impediments to pedestrian circulation. The proposed ordinance would codify the DPT's 1990 holiday shopping season management of transportation conditions program in Union Square.

**Comments**

1. Although the proposed ordinance is intended to codify the 1990 transportation management program, the proposed ordinance does not specify the exact regulations of the holiday parking and traffic management scheme. Instead, the proposed ordinance states that such regulations shall include but not be limited to the following:

1. Prohibition of parking.
2. Prohibition of stopping.
3. Tow-away enforcement for violation of parking or stopping prohibitions.
4. Prohibition of left-hand and right-hand turns.

Furthermore, the proposed ordinance designates the Metropolitan Traffic District as the geographic area and lists the entire months of November and December as the time period. However, Mr. Gerald Robbins of DPT advises that the DPT intends to develop the regulations to take effect between the day after Thanksgiving through New Year's Day and primarily around Union Square.

2. According to Mr. Robbins, the proposed ordinance was written in such a way as to allow DPT to be responsive to unforeseen holiday parking and traffic conditions without being required to return to the Board of Supervisors to amend the proposed ordinance.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



3. Although not included in the proposed ordinance, Mr. Robbins advises that the DPT plans to use signs indicating full parking lots and the locations of other less used parking lots as well as putting up signs directing parkers in advance toward underutilized garages such as the Moscone Center Garage. The DPT would also work with Macys and other large department stores to include parking and public transportation information in their holiday advertisements.

4. The DPT intends to prohibit parking in meter parking spots on parts of O'Farrell, 4th, and Stockton Streets to help increase the flow of traffic in those areas. According to Mr. Robbins, approximately 43 meters would be unavailable for use during the holiday season. These 43 meters would normally be in service for approximately nine hours a day at \$1.50 per hour for a total of \$581 daily in lost meter revenue. The proposed ordinance would be in effect for approximately 33 days, five days of which are Sundays and holidays, leaving 28 days of possible meter collections. Therefore, total lost meter revenue from the closure of meter spots would be up to \$16,268 (\$581 per day x 28 days).

5. The DPT also intends to enforce the anti-gridlock law which prohibits vehicles from entering into an intersection without being able to clear it. The fine for violating the anti-gridlock law is \$50 which, according to Mr. Robbins, could substantially increase revenues to the City. However, Mr. Robbins reports that DPT did not ticket any vehicles last year for creating a gridlock. Mr. Robbins advises that any additional staffing required to enforce the anti-gridlock law has been budgeted in the DPT's FY 1991-92 budget.

6. According to Mr. Robbins, any overtime or extra materials needed to implement the proposed ordinance have been included in the Department's FY 1991-92 budget.

### Recommendation

The proposed ordinance is a policy matter for the Board of Supervisors.

Item 4 - File 124-91-7

1. The proposed ordinance would amend Part II, Chapter XI of the San Francisco Municipal Code (Traffic Code) by adding Section 32.6.15 regarding parking for State Police vehicles only on Stevenson Street west of Brady Street.

2. The proposed ordinance would prohibit the stopping, parking or leaving of any vehicle, whether attended or unattended, at any time, on the south side of Stevenson Street, from 13 feet to 133 feet west of Brady Street (120-foot zone) except for official State Police vehicles.

3. According to Mr. Bond Yee of the Department of Parking and Traffic, the State Police Station was previously located at 350 McAllister Street, but the State Police Station has been temporarily relocated to Stevenson Street while seismic upgrading is being performed at 350 McAllister Street, similar to the seismic upgrading which is being performed at City Hall. Mr. Yee reports that the proposed ordinance is needed because there is currently no parking available for State Police vehicles in front of the State Police Station on Stevenson Street. Mr. Yee indicates that the area in which the proposed ordinance would apply is currently zoned for one-hour parking, and State Police vehicles currently park wherever parking is available.

4. Sergeant John Munoz of the State Police reports that the seismic upgrading project is estimated to take a minimum of five years. Sgt. Munoz also reports that the State Police Department may decide to locate the State Police Station to the Stevenson Street location permanently.

5. Mr. Yee reports that the area of Stevenson Street affected by the proposed ordinance would be designated as a "no stopping or parking area" by installing approximately two or three signs. Mr. Yee also reports that the signs would be installed as part of the Department of Parking and Traffic's routine maintenance cycle. Mr. Yee indicates that the cost for the signs, including labor costs, would be approximately \$100 per sign, and would be absorbed within the Department of Parking and Traffic's existing budget.

6. Mr. Gordon Park-Li of the Municipal Court reports that the fine for violating the proposed ordinance would be \$20, similar to the fines which prohibit parking in front of the Hall of Justice and other San Francisco Police Department stations.

**Recommendation**

Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



Item 5 - File 12-91-16

The proposed resolution would urge the passage of State Assembly Bill 184 regulating the display and sale of pornographic material through vending machines which are not supervised by an adult.

**Description**

State Assembly Bill 184, introduced by Assembly Member Ferguson on January 3, 1991 would prohibit the display and sale of pornographic material through vending machines that are located in a public place, other than a public place from which minors are excluded. AB 184 stipulates that any person knowingly displaying, selling or offering to sell pornographic material through a non-adult supervised vending machine shall be punished by a \$2,000 fine or by imprisonment for not more than one year in a County Jail.

**Comments**

1. AB 184 defines pornographic material as, "photographs or pictorial representations of the commission of the acts of sodomy, oral copulation, sexual intercourse, masturbation, or bestiality or which contains a photograph of an exposed penis in an erect and turgid state or of the lewd exhibition of female genitalia."

2. AB 184 would create provisions for a new crime or infraction that would be enforced at the local level without State reimbursement. According to Section 6 of Article XIII of the California Constitution, the State is not required to reimburse local governments for enforcing new laws that create new crimes. The City's costs of enforcement would depend on the number of vending machines that sell pornographic material in public places, except those places that exclude minors.

3. According to the author of AB 184, the proposed \$2,000 fine would be collected and retained by the State.

**Recommendation**

Approval of the proposed resolution is a policy matter for the Board of Supervisors.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



Item 6 - File 35-91-1

The proposed resolution would approve a map showing the opening of Twenty-Sixth Street between Treat Avenue and Harrison Street, declare Twenty-Sixth Street to be an open public street dedicated to public use, and make findings pursuant to City Planning Code Section 101.1.

On October 1, 1990, the Board of Supervisors approved Resolution No. 823-90, which rescinded a prior resolution authorizing the vacation of Twenty-Sixth Street between Harrison Street and Treat Avenue as City property (Resolution No. 149-69). According to Resolution No. 823-90, residents in the area expressed concern that the physical obstructions and traffic barriers created an enclosed area that attracts illegal activities and threatens residents' safety. Mr. Ted Lakey of the City Attorney's Office reports that rescinding the resolution vacating Twenty-Sixth Street did not automatically re-open the street. The proposed resolution would be a formal confirmation that the City wishes to re-open the street, Mr. Lakey advises.

Comments

1. The portion of Twenty-Sixth Street between Harrison Street and Treat Avenue is currently used as a playground. Although the Recreation and Park Department had the use of Twenty-Sixth Street to operate and maintain a playground, the street was and continues to be under the jurisdiction of the Department of Public Works.

2. According to Mr. Gordon Wong of the Department of Public Works (DPW), the cost of removing the playground equipment and resurfacing the street would be approximately \$15,000. According to Mr. Scott Shoaf of the DPW, the source of funds for this work would be gas tax funds included in the DPW's 1991-92 budget.

3. Mr. Tim Lillyquist of the Recreation and Park Department reports that opening Twenty-Sixth Street would incur no cost to the Recreation and Park Department. According to Mr. Lillyquist, although the Twenty-Sixth Street playground is a low-maintenance facility, closing it would reduce the Recreation and Park Department's costs somewhat, since periodic maintenance and equipment replacement would no longer be necessary.

4. The Department of City Planning has determined that the proposed dedication of Twenty-Sixth Street as an open public street is in conformance with the Eight Priority Master Plan Policies of City Planning Code Section 101.1.

Recommendation

Approve the proposed ordinance.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**





Item 7 -File 87-91-1

1. The proposed resolution would approve the 1991 Five-Year Combined Road Plan Program for the City and County of San Francisco.

2. The San Francisco Combined Road Plan (CRP) Program was previously known as the Federal Aid Urban (FAU) Program.

3. The Federal Highway Administration requires that a five-year program of highway and transit improvements be developed in order for a community to receive FAU Funds. The five-year program is reviewed and updated annually and must be approved by the Metropolitan Transportation Commission (MTC) and the California Department of Transportation (CalTrans). The proposed program includes the five-year period from October 1, 1991, through September 30, 1996.

4. The CRP Program was developed by the San Francisco Combined Road Plan Committee (previously known as the Federal Aid Urban Committee) and has been recommended for approval by the Transportation Policy Group composed of the Director of Public Works, the General Manager of Public Utilities, and the Director of City Planning. The San Francisco Combined Road Plan Committee includes the City Engineer and a representative from the Public Utilities Commission, Department of City Planning, Port Commission and CalTrans.

5. The proposed Five-Year Program totals \$21,352,000 of which \$17,590,000 is Federal Aid Urban (FAU) System Program funds, \$2,865,000 is local match funds and \$897,000 is local design costs. Funding for the local match requirements as well as the local design costs is or will be included in the budgets of the requesting departments each program year. The local match would come from a combination of State Gas Tax revenues and 1987 Street Improvement Bond funds.

6. FAU funds are used for a variety of street and transit projects including installation of traffic signals, repaving of roadways and reconstruction of Municipal Railway facilities. These funds are allocated to projects in three categories: Streets Only, Transit Only and Special Projects. The only Special Project identified in the current plan is the construction of a new interchange for Interstate I-280 near Islais Creek.

7. Projects for which funds are expected to be committed by September 30, 1991 are also included in the first year program so that, in the event of unexpected delays in funding commitments, the projects may be completed.

8. Projects for which funds have not been committed cannot be approved unless the projects are included in the CRP program in effect at that time. Projects included in the first two years of the program can be approved for funding during the coming fiscal year.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

**Comments**

1. Although the FAU funds require local matches of approximately 17 percent, approval of the five-year plan does not obligate local funds since the Board of Supervisors must approve resolutions authorizing the Chief Administrative Officer and the Director of Public Works (for street projects) or the Public Utilities Commission (for transit projects) to enter into agreements with the State for specific projects on a project-by-project basis. According to Mr. Vit Troyan of DPW Engineering, legislation to appropriate the local match for projects identified in the subject 1991 Five-Year Combined Road Plan Program would be submitted in the future to the Board of Supervisors.

2. At the present time the City has obligated all existing CRP Program funds so that no carry forward funds are identified in the proposed 1991 Five-Year CRP Program. In the past, the approval of the Five-Year Combined Road Plan Program included the identification of carry forward funds.

3. Mr. Troyan also advises that the expiration of the current Federal Surface Transportation Act, which will occur after September 30, 1991, will likely change some of the required procedures for obtaining Federal Funds in the future.

4. Although some the procedures of the current Federal Surface Transportation Act could change future funding requirements, MTC and CalTrans have requested a CRP five-year program submittal for 1991 based on the assumption that funding will be available to the City at levels comparable to recent years.

5. Over \$ 50 million in FAU funds have been apportioned to the City from FY 1973-74 through FY 1990-91.

6. Attachment I provides a summary of the 1991 Five-Year Combined Road Plan (CRP) Program. Attachment II provides detail of the projects in the first year of the 1991 Five-Year CRP Program.

**Recommendation**

Approve the proposed resolution.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

**Five-Year CRP Program**  
**October 1, 1991 - September 30, 1996**

	<u>FAU</u>	<u>Local Match</u>	<u>Local Design Cost</u>	<u>Total Project Cost</u>
<b><u>First Year (F.Y. 1991-92)</u></b>				
Streets Only	1,436,000	234,000	157,000	1,827,000
Transit Only	1,582,000	258,000	-	1,840,000
Special Projects	<u>500,000</u>	<u>81,000</u>	<u>-</u>	<u>581,000</u>
Total First Year	\$3,518,000	\$573,000	\$157,000	\$4,248,000
<b><u>Second Year (F.Y. 1992-93)</u></b>				
Streets Only	1,436,000	234,000	157,000	1,827,000
Transit Only	1,582,000	258,000	-	1,840,000
Special Projects	<u>500,000</u>	<u>81,000</u>	<u>-</u>	<u>581,000</u>
Total Second Year	\$3,518,000	\$573,000	\$157,000	\$4,248,000
<b><u>Third Year (F.Y. 1993-94)</u></b>				
Streets Only	1,436,000	234,000	157,000	1,827,000
Transit Only	1,082,000	176,000	-	1,258,000
Special Projects	<u>1,000,000</u>	<u>163,000</u>	<u>-</u>	<u>1,163,000</u>
Total Third Year	\$3,518,000	\$573,000	\$157,000	\$4,248,000
<b><u>Fourth Year (F.Y. 1994-95)</u></b>				
Streets Only	1,936,000	315,000	213,000	2,464,000
Transit Only	1,582,000	258,000	-	1,840,000
Special Projects	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Fourth Year	\$3,518,000	\$573,000	\$213,000	\$4,304,000
<b><u>Fifth Year (F.Y. 1995-96)</u></b>				
Streets Only	1,936,000	315,000	213,000	2,464,000
Transit Only	1,582,000	258,000	-	1,840,000
Special Projects	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Total Fifth Year	\$3,518,000	\$ 573,000	\$ 213,000	\$ 4,304,000
<b><u>Total Five-Year Program</u></b>	<u>\$17,590,000</u>	<u>\$2,865,000</u>	<u>\$897,000</u>	<u>\$21,352,000</u>

**CRP PROGRAM  
FY 1991-92**

	<b>FAU \$</b>	<b>LOCAL MATCH \$</b>	<b>DESIGN COST \$</b>	<b>PROJECT COST \$</b>
1. Curb Ramps - Various Locations	\$72,000	\$12,000	\$8,000	\$92,000
2. Street Resurfacing- Various Locations	933,000	152,000	102,000	1,187,000
3. Street Reconstruction- Various Locations	431,000	70,000	47,000	548,000
4. MUNI Storage, Maintenance & Other Fixed Facilities- Expansion, Rehabilitation and Improvements	1,582,000	258,000	(1)	1,840,000
5. Islais Creek Interchange (2)	500,000	81,000	(3)	581,000
<b>TOTAL</b>	<u>\$3,518,000</u>	<u>\$573,000</u>	<u>\$157,000</u>	<u>\$4,248,000</u>

- 
- (1) Design cost to be included in FAU participation  
 (2) Total City share for project is \$2.4 million (DPW's share = 75%; PUC's share = 25%)  
 (3) State design cost not included



Item 8 - File 171-91-2

**Note:** This item was continued from the July 23, 1991 Economic and Social Policy Committee Meeting.

The proposed resolution would support the increase in CalTrain services. As specifically stated in the proposed legislation, this resolution would make it the policy of the City and County of San Francisco to support the consideration by the Metropolitan Transportation Commission (MTC) and local counties allocating additional funding to expedite operation of more trains on the Peninsula, with particular emphasis on reverse peak commute and hourly midday service.

According to Mr. Eric Schatmeier of the California Department of Transportation (Caltrans), CalTrain has traditionally been a commuter railroad bringing commuters from the Peninsula to San Francisco since 1907. Although the number of CalTrain trains has increased periodically since the 1960's, basic CalTrain service has not changed. Service consists of one train every two hours during non-commuter hours, and trains approximately every 15 minutes during commuter hours, for a total of 54 trains per weekday.

The proposed resolution would support an increase from one train every two hours to one train every hour from 10:00 am to 4:00 pm. In addition, the proposed resolution would support an increase in trains during peak commuter hours for the reverse commute, that is, from San Francisco to the Peninsula in the morning and from the Peninsula to San Francisco in the evening. According to Mr. Schatmeier, this would increase the total number of trains per weekday from 54 to 60.

**Comments**

1. CalTrain is currently operated by Southern Pacific Railway and subsidized 50 percent by Caltrans. The remaining 50 percent of the operating costs are determined by ridership and are shared by San Francisco (5.1 percent), San Mateo (25.5 percent) and Santa Clara (19.4 percent) counties. San Francisco's share for FY 1990-91 was approximately \$788,286.

2. Management of CalTrain is scheduled to be taken over by the local jurisdictions of San Francisco, San Mateo and Santa Clara Counties after 1993, per State legislation which requires that the State shall not subsidize CalTrain. The new local CalTrain management organization will be the nine member Peninsula Corridors Study Joint Powers Board, which consists of three members each from San Francisco, San Mateo, and Santa Clara counties.

3. Mr. Schatmeier reports that the long-term goal of the Joint Powers Board is to increase the number of weekday trains to 96 by the year 2000, and 114 by the year 2005. According to Mr. Alan Hirsch of the CalTrain Citizens Advisory Committee, the Joint Powers Board would also like to increase the number of weekend trains from one every two hours to one every hour by FY 1995-96.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



4. According to the proposed resolution, CalTrain has not added additional trains since 1987. However, Mr. Schatmeier reports, on April 1, 1991, the number of trains was increased from 52 per weekday to 54 per weekday as a result of the availability of State earthquake funds. Therefore, the proposed resolution should be amended to state that additional trains were last added to the service in 1991.

5. The proposed resolution states that CalTrain is the most cost effective transit operation in Santa Clara and San Mateo Counties, with riders paying 60 to 400 percent more of the overall operating costs and the service itself operating at a cost of 60-80 percent less per passenger mile than existing light rail and bus systems. To clarify, Santa Clara and San Mateo County riders pay 60 to 400 percent more of the overall operating costs for CalTrain than for existing light rail and bus systems in those counties.

According to Mr. Alan Hirsch of CalTrain Citizens' Advisory Committee, riders pay just under 40 percent of CalTrain operating costs, while, for example, riders pay 6 percent of the operating costs for the Santa Clara County light rail system. To clarify the proposed legislation, the sixth paragraph of the proposed resolution could be amended to include the following underlined portion: Whereas, CalTrain is the most cost effective transit operation in Santa Clara and San Mateo Counties, with riders paying 60-400 percent more of the overall operating costs for CalTrain than for existing light rail and bus systems, and CalTrain service operates at a cost of 60-80 percent less per passenger mile than existing light rail and bus systems.

6. The Joint Powers Board assumes that increased frequency would result in increased ridership. Mr. Hirsch reports that the assumption that CalTrain ridership would increase with increased service is based on two facts: (1) the most common complaint from potential riders about CalTrain is that daytime service is too infrequent to be convenient, and (2) historically, each increase in frequency has resulted in measurable increased use.

According to Mr. Schatmeier, the increase in the number of trains will therefore decrease the per train cost, and thus decrease the cost per passenger mile and increase the percentage support of operating costs through fares. Mr. Hirsch reports that according to a Santa Clara County policy study, if train frequency went up to 66 trains per day, an increase of 22 percent over the current 54 per day, cost per passenger mile would decrease 25 percent.

Mr. Schatmeier asserts that the goal of the the Joint Powers Board is to increase the number of trains without increasing total absolute costs by operating the trains more efficiently. However, Mr. Schatmeier reports, though it is reasonable to suppose that more trains may be operated at no additional cost, if the absolute costs do increase, the Counties may not be able to support the cost of increased numbers of trains, since the Counties are scheduled to assume the total cost of CalTrain without a State subsidy after 1993.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

7. Mr. Schatmeier reports that the Joint Powers Board is negotiating to purchase the CalTrain right-of-way from Southern Pacific Railway by September or October of 1991. Mr. Schatmeier further reports that San Francisco has already transferred property in San Mateo County which San Francisco owns to San Mateo County to pay its share of the cost of the CalTrain right-of-way.

Mr. Hirsch reports that a major reason for the purchase of the CalTrain right-of-way is to eliminate Southern Pacific as the CalTrain operator. According to Mr. Hirsch, due to Southern Pacific's inefficient operating procedures, the cost of operating CalTrain is much higher than necessary. The Joint Powers Board hopes to increase efficiency with a new operator through such methods as automated ticketing and increased workforce productivity.

If the purchase of the Southern Pacific right-of-way is successful, the goal of the Joint Powers Board is to choose a new operator by the spring of 1992. According to Mr. Schatmeier, the Joint Powers Board has already issued an RFP to three interested and qualified potential operators.

### Recommendation

Amend line 5 of the proposed resolution to state that additional trains were last added to the service in 1991. To clarify, amend the sixth paragraph of the proposed resolution to include the following underlined language: Whereas, CalTrain is the most cost effective transit operation in Santa Clara and San Mateo Counties, with riders paying 60-400 percent more of the overall operating costs for CalTrain than for existing light rail and bus systems, and CalTrain service operates at a cost of 60-80 percent less per passenger mile than existing light rail and bus systems. Approval of the proposed resolution as amended is a policy matter for the Board of Supervisors.



Item 9 - File 207-91-3

1. This item is a resolution which would urge the Mayor to request the San Francisco Police Department to institute an amnesty program under which individuals unlawfully possessing firearms would be informed that they may surrender their firearms, with no questions asked, in exchange for a \$50.00 payment with funds to be derived from drug forfeiture revenues from the Narcotics Forfeiture and Asset Seizure Fund, a special fund. Additionally, the proposed resolution would urge the Mayor to submit a supplemental appropriation ordinance to finance the amnesty program from the special Narcotics Forfeiture and Asset Seizure Fund. Such a supplemental would be considered by the Board of Supervisors when the Board adopts legislation to implement the amnesty program.

2. Captain Anthony Ribera of the Police Department reports that there is currently a balance of \$246,000 in the Narcotics Forfeiture and Asset Seizure Fund. Captain Ribera believes that an initial sum of \$9,500 would be sufficient to make the \$50.00 payments for firearms surrendered under the proposed amnesty program. According to Captain Ribera, during a special advertised volunteer program to surrender firearms in which no funds were paid, conducted by the City in 1975 and 1976, 1,229 firearms and 1,343 firearms were destroyed respectively. Captain Ribera advises that the average number of firearms destroyed annually in the 1970's was between 800 to 1,000. The Police Department reports that, in general, 99.9 percent of firearms are confiscated by the Police Department and 0.1 percent are surrendered. The Police Department attributes the increase in the number of firearms destroyed during 1975 and 1976 to the City's volunteer program to surrender firearms. The 1,229 firearms destroyed in 1975 is 229 to 429 more than the average 800 to 1,000 firearms destroyed annually. The 1,343 firearms destroyed in 1976 is 343 to 543 more than the average 800 to 1,000 firearms destroyed annually. Based on the City's volunteer surrender program, if 229 firearms are surrendered it would require \$11,450 ( $229 \times \$50.00$ ) to make the necessary payments, and if 543 firearms are surrendered it would require \$27,150 ( $543 \times \$50.00$ ). However, as previously noted, the 1975 and 1976 volunteer surrender of firearms programs did not include an incentive of \$50 for each firearm surrendered. As a result, it is difficult to accurately project the number of firearms that are likely to be surrendered and the associated costs.

3. In the opinion of Captain Ribera, the proposed amnesty program could be managed most efficiently if the firearms are surrendered centrally at the Property Control Section at the Hall of Justice. Captain Ribera believes that processing the surrendered firearms would require approximately four hours of staff time per day, which could be absorbed by existing staff.

4. Chief Willis Casey of the Police Department reports that the Department supports the idea of the surrender of firearms proposal and would undertake the necessary steps to ensure the success of the amnesty program.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

**Comment**

The proposed legislation does not provide for a specific time limit on the proposed amnesty program. Captain Ribera recommends that the program be in effect for a six month period of time.

**Recommendation**

The proposed resolution is a policy matter for the Board of Supervisors.



Item 10 - File 242-91-1

The proposed resolution would establish a Friendship-Solidarity City/Partner Program between the City of San Francisco and the Community of the Fingo People in South Africa. In addition, the proposed resolution would urge the Mayor's Office to send copies of the proposed resolution to Dr. Van Neikerk, Minister of South Africa's Agricultural Development and Dr. de Villiers, Minister of South Africa's Agriculture and Development Aid.

**Description**

A Friendship-Solidarity City/Partner Program is similar to the Sister City Program, except less complicated. Sister City Programs require the establishment of a nonprofit organization with central management provided in Washington D.C. In addition, a Sister City Program requires two cities of similar size which excludes providing support to groups of people within a nation. A Friendship-Solidarity City/Partner Program provides San Francisco with the opportunity to show support for geographic areas and peoples without the limitations imposed by the Sister City Program.

According to the proposed resolution, the Fingo people were forcibly exiled by the South African government from their fertile land in the Tsitsikamma District to a barren resettlement camp in Ciskei two hundred miles away. Since their exile, the Fingo People have sought to regain their land but have been turned away. The proposed Friendship-Solidarity City/Partner Program would demonstrate the City's support for the plight of the Fingo People.

**Comment**

1. The proposed resolution would establish a Friendship-Solidarity City/Partner between the City and the Community of the Fingo People in South Africa. The proposed Friendship-Solidarity City/Partner Program provides any local group representing the Fingo people with the backing and legitimacy of the the City and County of San Francisco's expressed support. For example, a local organization, such as a church, concerned with the welfare of the Fingo People could travel to South Africa to express their support for the plight of the Fingo People accompanied by a copy of the signed resolution.

2. The proposed resolution would not have a fiscal impact on the City.

**Recommendation**

The proposed resolution is a policy matter for the Board of Supervisors.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**





Item 11 - File 15-91-8

1. This item is a hearing to consider and review taxicab rates in the City. In accordance with Section 1137 of the Police Code, the Board of Supervisors is required to review rates for taxicabs between September 1 and December 1, annually. This scheduled hearing to review taxicab rates complies with this requirement.

2. In June of 1991, the Board of Supervisors adopted the current taxicab rate schedule (File 15-91-6) as follows:

Flag Drop	\$1.70
Rate Per 1/6 Mile	.30
Traffic Delay and Waiting Time Per Hour	18.00 (\$0.30 per minute)

These new rates reflect an approximately 20 percent fare increase, and became effective on July 26, 1991. In addition, the rate for out-of-town taxi trips beyond 15 miles from the San Francisco border is 150 percent of the meter rate.

3. In November, 1990, the Board of Supervisors approved an emergency measure (Ordinance No. 383-90) to impose a temporary fare surcharge to increase the flag drop rate \$.50 from \$1.40 to \$1.90 without changing the gate fee charged by the taxicab companies to the taxicab drivers for six months. This increase was imposed due to the sudden and drastic rise in gasoline costs which threatened to reduce the level of taxicab service below that which the Board of Supervisors deemed adequate. In June of 1991, the Board of Supervisors approved an ordinance (Ordinance No. 245-91) that extended the termination date of the temporary fare surcharge for a maximum of 60 days, from June 20, 1991 through August 19, 1991, or until the permanent rates became effective, which was on July 26, 1991.

4. The Controller is responsible for requiring that the taxicab companies provide financial statements and data to the City in order that the Controller can review the industry's financial information relative to the City's rate of fares for taxicabs. In April of 1991, the Controller issued a report on taxicab operations in the City. The Controller's report evaluated financial and operating data of the taxi industry and recommended an across the board fare increase of approximately 20 percent. The Controller had further recommended that the \$.50 temporary fare surcharge previously approved by the Board of Supervisors be replaced by the recently approved 20 percent fare increase.

5. According to Mr. John Madden of the Controller's Office, the Controller has not yet received any new cost information from the taxicab companies, since the fiscal year of July 1, through June 30 for the reporting of cost information has just ended for the taxicab companies, and the new rates just became effective on July 26, 1991. Therefore, the Controller does not have a taxicab rate report to issue at this time.

6. Mr. Larry Florin of the Mayor's Office reports that the Mayor's Special Committee on the Taxicab Industry is still examining possible revised taxicab rate structures. The Special Committee expects to have a proposal ready for review by the end of December. As such, Mr. Florin has advised that the Mayor's Office will be requesting that this hearing be continued to the call of the Chair pending the results of the Taxicab Special Committee's work.

**Recommendation**

Continue the hearing to the call of the Chair, as requested by the Mayor's Office.

Item 13 - File 55-91-2

1. This item is a request for a hearing to consider the widening and/or use of barriers on Doyle Drive, to ask CalTrans to upgrade the seismic safety of the street structure, and to agree to extend the use of radar on Doyle Drive.

2. Doyle Drive is the portion of U.S. 101 which connects the entrance of the Golden Gate Bridge with 19th Avenue, Lombard Street and Marina Boulevard. CalTrans has the responsibility of maintaining Doyle Drive, and the California Highway Patrol (CHP) has the responsibility for monitoring traffic on Doyle Drive.

3. Mr. Bob Jahrling of CalTrans reports that currently there are six lanes on Doyle Drive, with four lanes operating southbound during morning rush hour, and four lanes operating northbound during evening rush hour. Mr. Jahrling indicates that in order to install a barrier between northbound and southbound lanes, CalTrans would have to widen the existing road. Mr. Jahrling also reports that Caltrans would want to construct four permanent lanes in each direction in conjunction with placing a barrier between the northbound and southbound lanes. According to Mr. Jahrling, CalTrans currently has no projects underway to widen and/or construct a barrier on Doyle Drive. Mr. Jahrling reports that CalTrans' consideration of widening Doyle Drive depends upon whether the City supports widening Doyle Drive.

4. Mr. Michael Painter, a Landscape Architect who has investigated Doyle Drive, reports that the Doyle Drive structure was completed in 1936. Doyle Drive only meets 1936 seismic standards, and does not meet the current seismic safety standards, according to Mr. Painter. Mr. Dan Mohn, Chief Engineer for the Golden Gate Bridge, Highway and Transportation District reports that the District is currently undertaking a five-year \$125 million seismic upgrading project for the Golden Gate Bridge. Mr. Painter advises that in the event of an earthquake, if traffic could not use Doyle Drive, the Golden Gate Bridge would also not be able to be used.

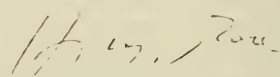
5. Mr. Jahrling reports that there are two viaducts which comprise the structure of Doyle Drive, the Marina viaduct and the Presidio viaduct. Mr. Jahrling indicates that CalTrans anticipates that a seismic retrofitting project of the Marina viaduct will occur in the fall of 1992, and a seismic retrofitting of the Presidio viaduct would occur sometime after the Marina viaduct is complete. These seismic retrofitting projects would upgrade Doyle Drive to meet current seismic safety standards. Mr. Jahrling reports that the surveying of the Marina viaduct has already occurred, however, neither retrofitting project contemplates that a widened roadway would be constructed.

6. According to Captain Kevin Mince of the California Highway Patrol (CHP), Doyle Drive and the Golden Gate Bridge are currently monitored by the CHP 24 hours a day. Captain Mince reports that the CHP is anticipating using radar on the Golden Gate Bridge, beginning in approximately December, 1991. Captain Mince indicates that the CHP wants to use radar on Doyle Drive also, but the CHP will not use radar unless there is support from the City to do so. Captain

Mince explains that using radar on Doyle Drive in conjunction with using radar on the Golden Gate Bridge would enable the CHP to more effectively monitor speeding. Captain Mince also reports that radar could be installed on Doyle Drive at no cost to the City.

7. The CHP reports that the number of accidents which have occurred on Doyle Drive for the past three years are as follows:

<u>Year</u>	<u>Accidents</u>	Property Damage <u>Only</u>	<u>Injury</u> <u>Accidents</u>	<u>Fatal</u> <u>Accidents</u>
1990	60	32	27	1
1989	65	41	24	0
1988	82	53	25	4

  
Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board  
Legislative Policy Analysts  
Chief Administrative Officer  
Controller  
Sam Yockey  
Ted Lakey

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CALENDAR - ACTIONS TAKEN  
REGULAR MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, SEPTEMBER 10, 1991 - 2:00 P.M. ROOM 228, CITY HALL

PRESENT: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

ABSENT: SUPERVISOR ALIOTO ITEMS - 1, 2, 5, 8, 11 - 13  
SUPERVISOR MIGDEN ITEM - 9

CLERK: KAY GULBENGAY

CLIENTS DEF  
SEP 13 1991  
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1. File 90-91-3. [Landmark] Ordinance designating the Park Emergency Hospital at 811 Stanyan Street as a landmark pursuant to Article 10 of the City Planning Code. (Department of City Planning)

ACTION: Hearing held. Recommended.

2. File 114-91-9. [Water Conservation] Ordinance amending Building Code by adding Chapter 53B, to require installation of water conservation devices in existing commercial buildings, including tourist hotels and motels, upon title transfer or major improvement and in any event no later than three years from the effective date of this ordinance. (Supervisor Migden)

ACTION: Hearing held. Recommended.

3. File 124-91-6. [Holiday Traffic Regulation] Ordinance amending Traffic Code by adding Section 49 to Article 3, providing for November and December Holiday Parking and Traffic Regulations. (Department of Parking and Traffic).  
(FISCAL IMPACT)

ACTION: Hearing held. Recommended. Transferred to Finance Committee with request to calendar for the September 18, 1991 meeting.

4. File 124-91-7. [Parking Control] Ordinance amending Traffic Code by adding Section 32.6.15 regarding parking for state police vehicles only on Stevenson Street west of Brady Street. (Department of Parking and Traffic).

ACTION: Hearing held. Recommended.





5. File 12-91-16. [Assembly Bill 184] Resolution urging passage of AB 184 regulating the display and sale of pornographic material through vending machines which are not supervised by an adult. (Supervisor Kennedy)

ACTION: Tabled.

6. File 35-91-1. [26th Street – Dedicated Public Use] Resolution approving map showing the opening of Twenty-Sixth Street between Treat Avenue and Harrison Street; declaring Twenty-Sixth to be open public streets dedicated to public use, and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)  
(FISCAL IMPACT)

ACTION: Continued to the call of the chair.

7. File 87-91-1. [Grant – Federal Funds] Resolution approving the 1991 Five-Year Combined Road Plan (formerly Federal AID Urban) Program in the City and County of San Francisco. (Department of Public Works)  
(FISCAL IMPACT)

ACTION: Hearing held. Recommended. Transferred to Finance Committee with request to be calendared for the September 18, 1991 meeting.

8. File 171-91-2. [Increase in Caltrain Frequency] Resolution supporting the increase in Caltrain frequency. (Supervisor Kennedy)  
(Continued from 7/23/91)

ACTION: Hearing held. Continued to the call of the chair.

9. File 207-91-3. Resolution urging the Mayor to request the San Francisco Police Department to institute an amnesty program to encourage individuals to surrender firearms for fifty dollars, with funds coming from drug forfeiture revenues. (Supervisor Kennedy)

ACTION: Hearing held. Amended on page 1 (title) line 3 by deleting "an" and inserting "a six month" and on line 4 (title) after "funds" by inserting "not to exceed \$9,500" and on line 27 after "firearms" by inserting "with the Police Department at the Hall of Justice during business hours, or as otherwise established by the Department" and further amended on page 2 line 2 after "ordinance" by inserting "of \$9,500."

Entitled: "Urging the Mayor to request the San Francisco Police Department to institute a six month amnesty program to encourage individuals to surrender firearms for fifty dollars, with funds not to exceed \$9,500 coming from Drug Forfeiture Revenues."  
Recommended as amended.



10. File 242-91-1. [Friendship-Solidarity City/Partner Program] Resolution establishing a friendship-solidarity city/partner community relationship between the City of San Francisco and the Community of the Fingo People (South Africa). (Supervisor Kennedy)

ACTION: Hearing held. Amended by replacing the word "Fingo" with "Mfengo" throughout the entire legislation; and further amended on page 2 line 21 by replacing "Community" with "Committee".

Entitled: "Establishing a Friendship-Solidarity City/Partner Community Relationship between the City of San Francisco and the Community of the Mfengo people".

Recommended as amended.

File 242-91-1.1. Hearing held. Resolution prepared in and reported out of committee.

Entitled: "Condemning the exportation of weapons from businesses in the United States to South Africa, and requesting members of the San Francisco Delegation to Congress to take any actions they may be able to take to address the issues raised by this resolution."

Recommended.

11. File 15-91-8. Hearing to consider and review taxi rates, a procedure required each year between September 1 and December 1, by Police Code Section 1137. (Supervisor Ward)

ACTION: Hearing held. Continued to the call of the chair.

12. File 18-91-4. Hearing to consider installation of a Stop sign at the intersection of Palou Avenue and Jennings Street. (Supervisor Ward)  
(Continued from 7/23/91)

ACTION: Hearing held. Resolution prepared and reported out of committee.

Entitled: "Designating Stop intersection at Palou Avenue and Jennings Street."

Recommended.

13. File 55-91-2. Hearing to consider widening and/or use of barriers on Doyle Drive, to ask CalTrans to upgrade the seismic safety of the street structure and to agree to extend the use of radar on Doyle Drive. (Supervisor Kennedy)

ACTION: Hearing held. Resolution prepared in and reported out of committee.

Entitled: "Urging the Golden Gate Bridge District and the State of California to lower the posted maximum speed limits on the Golden Gate Bridge and its approaches, to enforce speed limits on the Bridge and its approaches, and to utilize radar for speed enforcement on the Bridge and its approaches."

Recommended.

File 55-91-2.2. Hearing held. Resolution to be prepared by the City Attorney.

Recommended to Board Monday, September 23, 1991.



CITY AND COUNTY



OF SAN FRANCISCO

## BOARD OF SUPERVISORS

### BUDGET ANALYST

1390 Market Street, Suite 1025, San Francisco, CA 94102 (415)554-7642

September 19, 1991

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SEP 24 1991

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TO: Economic and Social Policy Committee

FROM: Budget Analyst - RECOMMENDATION

SUBJECT: September 24, 1991 Economic and Social Policy Committee Meeting

Item 3 - File 107-90-2

**Note:** This item was continued from the Economic and Social Policy Committee Meeting of May 30, 1991.

The Budget Analyst has prepared and transmitted a report, dated September 18, 1991, on the cost effectiveness of the "Front-end" early fraud detection (FRED) Program. For specific details, refer to the September 18, 1991 Budget Analyst report on the cost effectiveness of the FRED Program.

**Department:** Department of Social Services (DSS)

**Item:** Hearing on the Department of Social Services' "Front-end" Early Fraud Detection (FRED) Program.

**Description:** In March of 1990, DSS began operating a "Front-end" early fraud detection program, known as FRED, for the Aid to Families with Dependent Children (AFDC), Food Stamps, and General Assistance Programs. According to DSS, San Francisco is the 24th county in California to develop a FRED Program. The objectives of the FRED Program are to:



- 1) Prevent ineligible persons from receiving aid for which they have applied;
- 2) Reduce the number of referrals for prosecution of welfare fraud;
- 3) Attempt to find, for ineligible persons, alternative sources of aid for which they are eligible.

The FRED Program attempts to verify information given in client applications, which are used to determine the eligibility of the client. FRED investigators do not review all applications; rather, eligibility workers for the AFDC, Food Stamps, and General Assistance Programs refer selected applications to the FRED Program for verification. DSS investigators for the FRED Program verify application information through home visits, client interviews, authorized third party contacts, and other resources. After the investigator verifies the application information, the investigator recommends that the client either receive aid, be denied aid, or be referred to another aid program for which the client may be eligible.

The FRED Program is staffed with one Supervisor, eight Eligibility Workers, one Social Worker, and one Clerk.

For the period July 1, 1990 through June 30, 1991, the FRED Program has handled an estimated 1,994 case referrals. Of the total of 1,994 referrals, FRED Program staff found 987 cases to be ineligible and recommended that aid be denied or discontinued for these 987 cases.

- Comments:**
1. The Budget Analyst, in the report on the cost effectiveness of the FRED Program, estimates that, for the period July 1, 1990 through June 30, 1991, the FRED Program, prior to DSS expenses, has saved a total of \$1,640,914 or about \$823 per referral of the total of 1,994 referrals. Taking into account the costs of the FRED Program, the net savings for FY 1990-91 is estimated to be \$1,189,085.
  2. Of the total net savings of \$1,189,085 for FY 1990-91, approximately \$537,072 (45.2 percent) would accrue to the Federal Government; \$535,881 (45.0 percent) would accrue to the State; and \$116,132 (9.8 percent) would accrue to the County General Fund. The reason why most of the savings accrue to the Federal and State governments is because the AFDC and Food Stamps programs are 95 percent funded by the Federal and State governments. The City pays for the remaining five percent of the cost of these programs. Therefore, the Federal and State governments receive most of the savings benefit from the FRED Program.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

3. For FY 1991-92, the Budget Analyst projects that the FRED Program will yield a total net savings of \$1,684,385, of which approximately \$710,379 (42.2 percent) is savings to the Federal Government; \$673,219 (40 percent) is savings to the State; and \$300,787 (17.9 percent) is savings to the County General Fund.



Item 4 - 161-91-2

**Note:** This item was continued from the May 30, 1991, Economic and Social Policy Committee meeting.

1. This item is a hearing to consider the leasing of business space in the Fillmore Center.

2. The Fillmore Center is a San Francisco Redevelopment Agency (SFRA) retail/residential development located on Fillmore between Geary Boulevard and Turk Street. The project, which opened in the Summer of 1989, has 1,113 rental units and approximately 73,000 square feet of retail space. This SFRA project cost approximately \$200,000,000 and was financed by private funds and mortgage revenue bond proceeds issued by SFRA. Under State law, SFRA is permitted to issue such bonds, with the authorization of the Board of Supervisors.

3. Mr. Robert Davis, Vice-President of the Fillmore Center, reports that approximately 20,000 square feet of the Center's retail space is currently leased, leaving approximately 53,000 square feet still available for lease. Of the 53,000 square feet still available, Mr. Davis advises that the Center is committed to lease 7,000 to 10,000 square feet to KMTV, a Minority-owned television station. The 20,000 square feet of space is currently being leased to nine separate tenants. The ethnic breakdown for these tenants, is as follows: six - African-American, one - Hispanic, one - White and one - East Indian. Mr. Davis advises that the Center has an affirmative action marketing plan which reflects goals set by the Redevelopment Agency. These goals give preference to persons and businesses which were displaced or relocated as a result of land in the immediate vicinity of the Center being acquired by eminent domain for redevelopment purposes.



Item 5 - File 35-91-1

**Note:** This item was continued by the Economic and Social Policy Committee at its meeting of September 10, 1991.

The proposed resolution would approve a map showing the opening of Twenty-Sixth Street between Treat Avenue and Harrison Street, declare Twenty-Sixth Street to be an open public street dedicated to public use, and make findings pursuant to City Planning Code Section 101.1.

On October 1, 1990, the Board of Supervisors approved Resolution No. 823-90, which rescinded a prior resolution authorizing the vacation of Twenty-Sixth Street between Harrison Street and Treat Avenue as City property (Resolution No. 149-69). According to Resolution No. 823-90, residents in the area expressed concern that the physical obstructions and traffic barriers created an enclosed area that attracts illegal activities and threatens residents' safety. Mr. Ted Lakey of the City Attorney's Office reports that rescinding the resolution vacating Twenty-Sixth Street did not automatically re-open the street. The proposed resolution would be a formal confirmation that the City wishes to re-open the street, Mr. Lakey advises.

**Comments**

1. The portion of Twenty-Sixth Street between Harrison Street and Treat Avenue is currently used as a playground. Although the Recreation and Park Department had the use of Twenty-Sixth Street to operate and maintain a playground, the street was and continues to be under the jurisdiction of the Department of Public Works.

2. According to Mr. Gordon Wong of the Department of Public Works (DPW), the cost of removing the playground equipment and resurfacing the street would be approximately \$15,000. According to Mr. Scott Shoaf of the DPW, the source of funds for this work would be gas tax funds included in the DPW's 1991-92 budget.

3. Mr. Tim Lillyquist of the Recreation and Park Department reports that opening Twenty-Sixth Street would incur no cost to the Recreation and Park Department. According to Mr. Lillyquist, although the Twenty-Sixth Street playground is a low-maintenance facility, closing it would reduce the Recreation and Park Department's costs somewhat, since periodic maintenance and equipment replacement would no longer be necessary.

4. The Department of City Planning has determined that the proposed dedication of Twenty-Sixth Street as an open public street is in conformance with the Eight Priority Master Plan Policies of City Planning Code Section 101.1.

**Recommendation**

Approve the proposed ordinance.





Item 6 - File 115-90-4

- Note:** This item was continued to the Call of the Chair at the March 22, 1990 Economic and Social Policy Committee meeting.
- Item:** Ordinance amending Part II, Chapter II of the San Francisco Municipal Code by amending Section 179 of the Planning Code.
- Department:** City Planning
- Description:** The proposed legislation would amend Part II, Chapter II of the San Francisco Municipal Code by amending Section 179 of the Planning Code to extend the deadline to file applications for use permits to comply with applicable code requirements.

The existing provisions of Section 179 of the Planning Code regulate uses of buildings located in Neighborhood Commercial Districts. On March 13, 1987, the Board of Supervisors approved Ordinance No. 69-87 which, among other provisions, provided for regulation of building standards and uses in Neighborhood Commercial Districts and imposed new requirements for building use authorization, in order to establish new procedures for review of building use in such districts and to establish new compliance regulations.

Section 179(d) provides that any building use located in a neighborhood commercial district, which (1) existed on the effective date of Ordinance 69-87 and was permitted as a principal use at the time the building was established, (2) the required permits had not been obtained, and (3) which building use is not permitted by the enactment of Ordinance 69-87, will be allowed to continue if certain conditions are met. One of these additional conditions requires an application to be filed for all permits necessary to bring the building use into compliance with applicable code requirements and substantially complete all work within three years, or by April 12, 1990, of the effective date of Ordinance No. 69-87.

Section 179(f) provides that any building use located in a neighborhood commercial district, which (1) existed on the effective date of Ordinance 69-87 and was permitted as a conditional use at the time the building was established, (2) the required permits had not been obtained, and (3) which building use is not permitted by the enactment of Ordinance 69-87, will be allowed to continue if certain conditions are met. One of these conditions requires applications for conditional use authorization and other necessary permits to bring the use into compliance with applicable code requirements and

substantially complete all work within three years, or by April 12, 1990, of the effective date of Ordinance No. 69-87.

The proposed legislation would (1) amend Section 179(d) to extend the deadline for an additional three years to file applications legally for use permits to comply with applicable code requirements under Ordinance No. 69-87 and (2) amend Section 179(f) to extend the deadline for an additional three years to file applications legally for conditional use authorizations and other permits to comply with applicable code requirements under Ordinance No. 69-87. Therefore, the proposed ordinance would extend the deadline in which illegal commercial occupants can legally file necessary building permits to April 12, 1993.

**Comments:**

1. Mr. Robert Passmore of the Department of City Planning reports that more building permit applications would be filed if the proposed extension is approved and that the Department anticipates additional costs associated with these filing of applications. Mr. Passmore indicates that under the current provisions, if illegal commercial occupants can no longer legally file a building permit application because the date expired on April 12, 1990, then there would be no incentive for the illegal occupants to file a permit. Mr. Passmore notes that it is likely that illegal commercial occupants would never file a building permit application in order to conform with commercial standards, unless illegal occupants are given the opportunity to legally do so under the proposed extension. Mr. Passmore reports that the Department of City Planning has not been actively enforcing Ordinance 69-87, but rather illegal commercial occupants have been brought to the Department's attention through one of three ways:

1. Building owner files for a permit for remodeling;
2. Residential or Tenant complaint;
3. Real Estate disclosures (i.e., sellers must inform buyers of any code violations).

2. A June 13, 1991 memorandum from the Department of City Planning estimated that the total cost to administer the proposed extension (i.e., extending the deadline for filing planning permits to comply with applicable code requirements), would be the following:

	<u>FTE</u>	
Planner II	3.50	\$181,500
Secretary II	1.50	56,800
Tax Bill notice		4,000
Mailing notice		14,000
Supplies, printing and contingencies		<u>1,100</u>
Total Cost	<u>5.0</u>	\$257,400

3. Based upon the number of applications which were filed between April, 1987 and April, 1990, the Department of City Planning anticipates that up to 120 additional building permit applications, including 40 permits requiring a conditional use application, and 8 permits requiring discretionary review applications, would be filed under the proposed legislation. The above estimated program costs are based upon processing 120 applications through April 12, 1993.

4. The \$4,000 cost which is estimated for Tax Bill notification is anticipated to provide information on the proposed extension of permit filing deadlines within tax bills, and the \$14,000 estimated for a mailing notice would be used for an additional notice to provide applicants with comprehensive instructions on filing the application and providing the necessary documentation in order to decrease the amount of permit processing time.

5. The Department of City Planning reports that the program cost could be covered by increasing the fees for the permit and conditional use applications. The Department has estimated that discretionary review fees could remain at the current level. Mr. Passmore reports that these additional fees would not be required beyond the proposed extension. In a memo from the Director of Planning on June 13, 1991, the additional planning fees would be as follows:

	<u>Current Average Fee</u>	<u>Additional Average Fee</u>	<u>Total Average Fee</u>
Building Permits	\$100	\$1,545	\$1,645
Conditional Uses	500	985	1,485
Discretionary Reviews	75	0	75

Any such fee increases would require separate legislative approval by the Board of Supervisors.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

6. Ms. Martha Kessler of the Department of City Planning reports that all Planning Department fees were increased on July 1, 1992, including an additional 16.5 percent surcharge on various planning fees to cover the one-time cost of computerization to support permit processing for the Department. Ms. Kessler indicates that this surcharge would be reduced to 11.1 percent in FY 1992-93, and to 8.6 percent in FY 1993-94. To justify the increases in permit processing fees, 12 additional permit processing positions were added to the Department of City Planning's FY 1991-92 budget. These positions include one Planner I, three Planner IIs, four Planner IIIs, one Planner IV, one Clerk and two Secretaries. Ms. Kessler reports that these positions are funded entirely from the additional planning fees. Ms. Kessler indicates that these additional permit processing positions are necessary for the present level of permit activity, but would not cover the additional staff needed for the proposed extension. The above listed estimated additional fees proposed for the extension program do not include additional planning fee surcharges, which, as noted above, will be in effect through FY 1993-94.

7. Although the additional fees necessary for supporting the proposed extension are approximately 1,445 percent higher than the current fees for building permits, Mr. Passmore indicates that since the proposed increased fees are likely to be minimal compared to the construction costs of bringing buildings into compliance. Mr. Passmore anticipates that any increased fees would not discourage illegal occupants from filing during the extension. The Bureau of Building Inspection believes that the average construction cost for illegal occupants to conform to commercial building standards would be between \$30,000 and \$40,000.

8. On June 20, 1991, the City Planning Commission passed a resolution which stated that in light of the \$257,400 budgetary requirements needed to implement the extension, the Planning Commission could not recommend adoption of the extension to the Board of Supervisors. In addition, the resolution requested that if the Board of Supervisors decides to adopt the proposed ordinance, that the Board should also approve a supplemental appropriation of funds to cover the work program costs and the additional Department personnel.

**Recommendation:** Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



Items 9 and 10 - Files 164-91-4 and 164-91-4.1

**Department:** Department of Public Works

**Items:** Resolution declaring the intention of the Board of Supervisors to vacate the portion of Powhattan Avenue lying between Andover and Moultrie Street and setting the date, hour and place for hearing all persons interested in the proposed vacation (File 164-91-4).

Ordinance ordering the vacation of the portion of Powhattan Avenue lying between Andover and Moultrie Streets, authorizing the sale thereof to the owners of the two abutting properties and adopting findings pursuant to City Planning Code Section 101.1 (File 164-91-4.1).

**Amount:** \$25,000 and \$5,000

**Description:** Two owners of property adjacent to a portion of Powhattan Avenue between Andover and Moultrie Streets have requested the vacation of that section of the street. The two owners would each purchase a fraction of the proposed vacated portion of the street, at a cost of \$25,000 and \$5,000, respectively. The two fractions would total the entire vacated portion of the street (see map, attached).

**Comments:**

1. The portion of Powhattan Avenue proposed to be vacated is presently unimproved sidewalk area. The portion of the improved street and sidewalk would not be affected by the proposed vacation, the Department of Public Works advises. The proposed unimproved sidewalk area has been in the City's possession since the street was defined, Mr. Shinji Yao of the DPW reports.
2. According to the Mr. Phil Aissen of the Department of Real Estate, the Department of Real Estate has determined that the fair market value of the two portions of land are \$25,000 and \$5,000, respectively.
3. The purchaser of the \$5,000 piece of land would pay the total amount outright. The purchaser of the \$25,000 piece of land would pay \$5,000 outright and the remaining \$20,000 in ten annual installments at 9.5 percent annual interest. Mr. Aissen reports that this payment plan was established by the Department of Real Estate in conformance with similar payment plans that have been implemented in the past.



4. Revenue received from the proposed sale of property would be added to the Department of Public Works Real Property Fund, Mr. Daniel Kennedy of the Department of Real Estate Reports. This Real Property Fund is used exclusively for the purchase of real property by the DPW, Mr. Kennedy reports and such funds can only be appropriated by the Board of Supervisors.

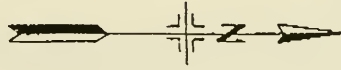
5. File 164-91-4 would schedule a hearing regarding the proposed vacation. Therefore, if the Economic and Social Policy Committee wishes to approve the proposed resolution, the proposed resolution should be amended to set the date, hour and place of the hearing.

6. If the finding by the Board of Supervisors at a public hearing is in favor of vacating that portion of Powhattan Avenue, the proposed ordinance (File 164-91-4.1), authorizing the vacation and sale of that portion of Powhattan Avenue, would then be considered by the Board of Supervisors.

7. The Department of City Planning reports that the proposed vacation is in conformity with the City's Master Plan and with the Eight Priority Policies of City Planning Code Section 101.1.

**Recommendation:** Amend the proposed resolution to set the date, hour and place of the public hearing (File 164-91-4).

Refer the proposed ordinance to the Board of Supervisors without recommendation (File 164-91-4.1).



ANDOVER ST.

POWHATTAN ST.

MOULTRIE ST.

ASSESSOR'S BLOCK 5622

BRUCE G. BARTLOW

SULTAN A. BHIMJEE

(17)

(16)

10'

70'

70'

10'

140'

38'

48'

LEGEND

(17) Assessors Lot Number  
 1777A Street Area Proposed To Be Vacated.

BY		DATE	CITY AND COUNTY OF SAN FRANCISCO DEPARTMENT OF PUBLIC WORKS - BUREAU OF ENGINEERING PROPOSED VACATION OF A PORTION OF POWHATTAN ST. BETWEEN ANDOVER AND MOULTRIE STS.					
DR.	T.T.C.	3/22/90						
TR.								
CK.								
APP.			APPROVED	SCALE 1" = 40' SHEET 1 OF 1 SHEETS			FILE SUR-590	CHANGE
APP.			DATE					
APP.			CITY ENGINEER					



Item 11 - File 231-91-1

This is a hearing to consider elder abuse.

Description

A report prepared by the San Francisco Consortium for Elder Abuse Prevention estimates that approximately 5,000 of San Francisco's senior citizens may be victims of physical abuse, financial exploitation, psychological abuse and neglect each year. Most of these victims are women who are abused by their spouses or children. Those seniors over the age of 75 are at the greatest risk of abuse which increases the likelihood of their having physical or mental impairments that limit their activities or ability to care for themselves.

According to the the San Francisco Consortium for Elder Abuse Prevention report, intervention in elder abuse cases subsequently requires addressing victims' health, personal assistance, and support service needs in addition to the abuse itself. Services which are needed to help elder abuse victims include:

1. Medical Treatment-- for injuries, malnutrition, and health conditions.
2. Legal Services-- to assist victims in obtaining restraining orders and initiate lawsuits to recover assets or property, and to advise seniors about options for protecting their financial assets.
3. Counseling-- for victims, abusers and other family members aimed at addressing the underlying causes and impact of abuse.
4. Emergency Services-- such as crisis intervention and emergency shelter, to offer immediate protection and safety.
5. Support Services-- such as attendant care, home delivered meals and transportation to enable frail individuals to maintain their highest level of independence and reduce their risk.
6. Case management-- to assess the on-going service needs of vulnerable or abused elderly and coordinate service delivery.
7. Services for Caregivers-- aimed at reducing the stress that is frequently experienced by individuals who are caring for impaired family members.

Service Providers

City departments and nonprofit organizations have developed programs to help seniors who are being abused. The following is a list of these departments and organizations and their programs:

## City Departments

The Department of Social Services Adult Protective Services Unit-- accepts and investigates reports of abuse and provides follow-up services. In 1990, the number of new elder abuse referrals averaged 59 per month.

Public Guardian-- assumes decision-making responsibility for individuals who lack the capacity to act on their own behalf and have no responsible family members or friends to do so. In FY 1990-91, the Public Guardian handled 425 seniors.

Department of Public Health-- Public health nurses are frequently needed to assess elder abuse and treat its effects.

Commission on Aging's Senior Information and Referral-- administers the Elder Abuse Information Line. During FY 1989-90, 87 referrals for abuse were made.

Geriatric Community Mental Health-- accepts referrals for mental health assessments to determine if victims have the capacity to act on their own behalf or are in need of surrogate decision makers, and provides counseling to victims and their families.

Probate Court Investigation Unit-- has the responsibility for investigating allegations of abuse by conservators and those holding powers of attorneys for impaired individuals. Of the 1,850 conservatorship investigations conducted by the Probate Court, from June of 1987 through June of 1989, 207 or 11.2 percent had suffered from elder abuse.

Law Enforcement-- enforces elder abuse laws.

## Nonprofit Organizations

Legal Assistance to the Elderly-- provides free legal services to victims.

Catholic Charities--offers case management and counseling to victims and their families.

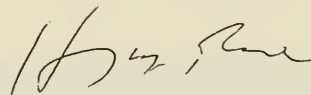
Self-Help for the Elderly-- provides case management and counseling to Chinese victims and their families.

The Elder Abuse Consortium reports that there are unmet needs of abused seniors such as emergency services, financial services, case management, victim assistance and advocacy, respite services for caregivers, counseling services for abusers and services for non-English speaking, gay and ethnic minority clients.

**Consortium Recommendations**

The San Francisco Consortium for Elder Abuse Prevention recommends the following general measures that would help ensure that all victims and those at risk of elder abuse have access to needed services:

- Promote public awareness of elder abuse by proclaiming an "Elder Abuse Awareness Week"
- Improve access to services by African American seniors by assisting the Consortium in its African American Outreach Campaign through participation in or endorsement of campaign activities.
- Encourage victim services and domestic violence programs to be more responsive to abused elders by offering training to their staff in elder abuse, prioritizing abuse cases, developing services that are accessible to the frail elderly, and offering counseling services to elder abusers.
- Establish a small \$5,000 to \$7,000 emergency fund to cover emergency placements in residential care facilities or shelters, purchase emergency attendant care, install new locks to secure homes, etc. The \$5,000 to \$7,000 is perceived as a minimum amount needed to cover emergencies of abused elders
- Establish an interdepartmental task force or multiple task force composed of representatives from public and private agencies serving the elderly to improve the coordination of services that can prevent abuse.



Harvey M. Rose

cc: Supervisor Kennedy      Controller  
Supervisor Migden      Sam Yockey  
Supervisor Alioto      Ted Lakey  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board -  
Legislative Policy Analysts  
Chief Administrative Officer





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9/24/91

CALENDAR - ACTIONS TAKEN

REGULAR MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, SEPTEMBER 24, 1991 - 2:00 P.M.

ROOM 228, CITY HALL

PRESENT: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

ABSENT: SUPERVISOR ALIOTO ITEMS - 3, 6 - 11

DOCUMENTS DEPT.

CLERK: KAY GULBENGAY

SEP 27 1991

CONSENT CALENDAR

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1. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Economic and Social Policy Committee, and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or a member of the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item:

- (a) File 15-91-9. Consideration to rescind a taxi zone, 536 Broadway, from 5 to 49 feet east of Romolo Place (44-foot zone). (Department of Parking and Traffic)
- (b) File 18-91-11. Consideration of establishment of Stop intersections on various streets. (Department of Parking and Traffic)

Stop Signs - Establish

Hill Street and Sanchez Street, all corners, making this an all-way Stop.

Sutter Street and Presidio Avenue, northeast corner, stopping westbound Sutter Street traffic.

48th Avenue and Pacheco Street, southeast and northwest corners, stopping 48th Avenue traffic.

- (c) File 18-91-12. Consideration of establishing Stop intersections at Front and Jackson Streets, northwest corner, stopping Front Street traffic.



- (d) File 20-91-14. Consideration of establishment traffic regulations, various streets. (Department of Parking and Traffic)

No Left – Turn – Establish

Masonic Avenue, southbound, at Euclid Avenue

No Left Turn – Establish

Bayshore Boulevard, northbound, at Oakdale Avenue.

Right Turn Only – Establish

Oakdale Avenue, eastbound, at Bayshore Boulevard.

Tow-Away No Stopping Anytime Except Muni – Establish

5th Street, east side, from I-80 On-Ramp to 285 feet northerly (285-foot zone).

- (e) File 20-91-15. Consideration of establishing and rescinding of traffic regulations, various streets. (Department of Parking and Traffic)

Tow Away No Stopping Anytime – Establish

5th Street, east side, from Howard Street to Mission Street.

Minna Street, north side, from garage exit to 4th Street (approximately 250 foot zone).

O'Farrell Street, south side, Mason Street to Cyril Magnin Street.

O'Farrell Street, south side, from 66 feet east of Powell Street to Stockton Street.

Powell Street, east side, from Post Street to 100 feet south (100-foot zone).

Post Street, south side, from Powell Street to Stockton Street.

Stockton Street, west side, from Post Street to Geary Street.

Geary Street, north side, from Stockton Street to Union Square Garage entrance (160-foot zone).

Sutter Street, north side, from Stockton Street to 126 feet east (126-foot-zone).

Crosswalk Closure – Revoke

Clay Street and Davis Street, east and west crosswalks

Midblock Crosswalk – Establish

Washington Street at Davis Street (closed), west side.

No Left Turn 4 – 6 P.M. – Rescind

No Left Turn 4 – 7 P.M. – Establish

Masonic Avenue, northbound, at Fell Street.



File 20-91-15. Continued.

Tow Away – No Stopping 7 AM – 6PM, Except Sat. and Sunday – Rescind  
Kearny Street, east side, from Post Street to 170 feet south, (170-foot zone).

Tow Away No Stopping 11 A.M. – 7 A.M. (Next Day) – Establish  
Stockton Street, east side from O'Farrell Street to 113 feet southerly (113 foot feet southerly (113 foot zone).

O'Farrell Street, south side, from Powell Street to 66 feet easterly (66 foot zone).

Sutter Street, north side, from 126 feet to 188 feet east of Stockton Street to 188 feet east (188-foot zone).

Powell Street, east side, from Post Street to 100 feet south (100-foot zone).

ACTION: Consent calendar recommended.

- (a) File 15-91-9. – Hearing held. DPT recommendations recommended. Resolution prepared in and reported out of committee.  
Entitled: "Rescinding of taxicab stand on Broadway Street."  
Recommended.
- (b) File 18-91-11. Combined with File 18-91-12.
- (c) File 18-91-12. Hearing held. DPT recommendations recommended. File 18-91-11 combined herewith. Resolution prepared in and reported out of committee.  
Entitled: "Designating certain intersections as "Stop" intersections."  
Recommended.
- (d) File 20-91-14. Combined with File 20-91-15.
- (e) File 20-91-15. Hearing held. DPT recommendations recommended. File 20-91-14 combined herewith. Resolution prepared in and reported out of committee.  
Entitled: "Enacting and rescinding traffic regulations on various streets."  
Recommended.

### REGULAR CALENDAR

- 2. File 18-91-13. Hearing to consider installation of Stop sign at the intersections of Green and Buchanan Streets. (Supervisor Ward)

ACTION: Hearing held. Filed.





3. File 107-90-2. Hearing to consider the Department of Social Services' Fraud Early Detection Program. (Supervisor Kennedy)  
(Continued from 5/30/91)

ACTION: Continued to October 22, 1991 meeting.

4. File 161-91-2. Hearing to consider the leasing of business space in the Fillmore Center. (Supervisor Kennedy)  
(Continued from 5/30/91)

ACTION: Hearing held. Continued to call of the chair.

5. File 35-91-1. [26th Street - Dedicated Public Use] Resolution approving map showing the opening of Twenty-Sixth Street between Treat Avenue and Harrison Street; declaring Twenty-Sixth to be open public streets dedicated to public use, and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)  
(Continued from 9/10/91)  
FISCAL IMPACT

ACTION: Continued to October 8, 1991 meeting.

6. File 115-90-4. [Neighborhood Commercial District - Permitted Uses] Ordinance amending City Planning Code by amending Section 179 to extend the deadline to file applications for use permits to comply with applicable code requirements. (Supervisor Maher)  
(Deemed Disapproved pursuant to City Planning Code Section 306.4.)  
(Categorically exempt from Environmental Review.)

ACTION: Hearing held. Amendment of the whole (as presented in committee) adopted.

Entitled: "Amending Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) by amending Section 179 to extend the deadline to file applications for permits and conditional use authorization to comply with applicable code requirements; and adopting findings pursuant to City Planning Code Section 101.1."  
To Board without recommendation. (Referred to Budget Analyst for fiscal impact determination.)

7. File 121-91-6. [Tour Bus Restriction] Ordinance amending Police Code, by adding Section 1183.20, regarding tour bus restrictions on 26th Avenue, between Geary Boulevard and California Street. (Department of Parking & Traffic)

ACTION: Hearing held. Continued to call of the chair.

8. File 121-91-7. [Tour Bus Restriction] Ordinance amending Police Code, by adding Section 1183.21, regarding tour bus restrictions on Lombard Street, between Van Ness Avenue and Polk Street. (Department of Parking & Traffic)

ACTION: Hearing held. Recommended.



9. File 164-91-4. Resolution declaring intention of Board of Supervisors to vacate the portion of Powhattan Avenue lying between Andover and Moultrie Streets; and setting the date, hour and place for hearing all persons interested in the proposed vacation; companion measure to File 164-91-4.1. (Department of Public Works)

FISCAL IMPACT

ACTION: Hearing held. Recommended. (Public hearing date set for November 18, 1991.)

10. 164-91-4.1. [Street Vacation - Sale] Ordinance ordering vacation of the portion of Powhattan Avenue lying between Andover and Moultrie Streets; authorizing sale thereof to the owners of the two abutting properties for \$25,000 and \$5,000, respectively; and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 164-91-4. (Department of Public Works)

FISCAL IMPACT

ACTION: To Board without recommendation on Monday, November 18, 1991 for consideration after public hearing.

SPECIAL ORDER 3:00 P.M.

11. File 231-91-1. Hearing to consider elder abuse. (Supervisor Ward)

ACTION: Hearing held. Filed.



CALENDAR - ACTIONS  
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RESCHEDULED MEETING OF

JOINT CITY SERVICES/ECONOMIC & SOCIAL POLICY COMMITTEE

BOARD OF SUPERVISORS

CITY AND COUNTY OF SAN FRANCISCO

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SEP 30 1991

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Thursday, September 26, 1991 - 10:00 A.M.

Room 228, City Hall

Members: Supervisors Alioto, Kennedy, Achtenberg, Migden, Hsieh

Absent: Supervisors Kennedy, Hsieh

Clerk: Barbara Stavro-Taylor

1. File 188-91-2. [Non-Potable and Reclaimed Water Use] Ordinance amending Public Works Code by adding Article 22 regarding the use of non-potable and reclaimed water by commercial, industrial, residential and governmental water users. Supervisors Achtenberg, Migden)

(Cont'd from 7/23/91)

(FISCAL IMPACT)

ACTION: AMENDMENT OF THE WHOLE ADOPTED. "[Reclaimed Water Use] Ordinance amending Public Works Code by adding Article 22 regarding the use of reclaimed water by water users." RECOMMENDED AS AMENDED. (Supervisor Alioto added as co-sponsor) TRANSFERRED TO FINANCE COMMITTEE FOR REVIEW AND CONSIDERATION.

2. File 188-91-5. [Non-Potable and Reclaimed Water Use] Ordinance amending Public Works Code by adding Article 22 regarding the use of non-potable and reclaimed water by commercial, industrial and governmental water users. (Supervisors Migden, Achtenberg)

(Cont'd from 7/23/91)

(FISCAL IMPACT)

ACTION: AMENDMENT OF THE WHOLE ADOPTED. "[Reclaimed Water Use] Ordinance amending Public Works Code by adding Article 22 regarding the use of reclaimed water by water users." RECOMMENDED AS AMENDED. (Supervisor Alioto added as co-sponsor) TRANSFERRED TO FINANCE COMMITTEE FOR REVIEW AND CONSIDERATION.





22  
CITY AND COUNTY



OF SAN FRANCISCO

**BOARD OF SUPERVISORS**

**BUDGET ANALYST**

1390 MARKET STREET, SUITE 1025

SAN FRANCISCO, CALIFORNIA 94102 • TELEPHONE (415) 554-7642

October 3, 1991 **DOCUMENTS DEPT.**

OCT 4 1991

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**TO:** Economic and Social Policy Committee

**FROM:** Budget Analyst - *Recommendations*

**SUBJECT:** October 8, 1991 Economic and Social Policy Committee Meeting

Item 1 - File 35-91-1

**Note:** This item was continued by the Economic and Social Policy Committee at its meeting of September 24, 1991.

The proposed resolution would approve a map showing the opening of Twenty-Sixth Street between Treat Avenue and Harrison Street, declare Twenty-Sixth Street to be an open public street dedicated to public use, and make findings pursuant to City Planning Code Section 101.1.

On October 1, 1990, the Board of Supervisors approved Resolution No. 823-90, which rescinded a prior resolution authorizing the vacation of Twenty-Sixth Street between Harrison Street and Treat Avenue as City property (Resolution No. 149-69). According to Resolution No. 823-90, residents in the area expressed concern that the physical obstructions and traffic barriers created an enclosed area that attracts illegal activities and threatens residents' safety. Mr. Ted Lakey of the City Attorney's Office reports that rescinding the resolution vacating Twenty-Sixth Street did not automatically re-open the street. The proposed resolution would be a formal confirmation that the City wishes to re-open the street, Mr. Lakey advises.

**Comments**

1. The portion of Twenty-Sixth Street between Harrison Street and Treat Avenue is currently used as a playground. Although the Recreation and Park Department had the use of Twenty-Sixth Street to operate and maintain a playground, the street was and continues to be under the jurisdiction of the Department of Public Works.

2. According to Mr. Gordon Wong of the Department of Public Works (DPW), the cost of removing the playground equipment and resurfacing the street would be approximately \$15,000. As a result, the Budget Analyst has determined that the proposed resolution would have a fiscal impact. According to Mr. Scott Shoaf of the DPW, the source of funds for this work would be gas tax funds included in the DPW's 1991-92 budget.

3. Mr. Tim Lillyquist of the Recreation and Park Department reports that opening Twenty-Sixth Street would incur no cost to the Recreation and Park Department. According to Mr. Lillyquist, although the Twenty-Sixth Street playground is a low-maintenance facility, closing it would reduce the Recreation and Park Department's costs somewhat, since periodic maintenance and equipment replacement would no longer be necessary.

4. The Department of City Planning has determined that the proposed dedication of Twenty-Sixth Street as an open public street is in conformance with the Eight Priority Master Plan Policies of City Planning Code Section 101.1.

**Recommendation**

Approve the proposed ordinance.

Item 3 - File 20-91-13

1. The proposed resolution would urge the Mayor to urge the Parking and Traffic Commission to urge the Director of the Parking and Traffic Department to post signs that warn drivers of "senior crossing zones" in areas used by seniors to visit senior facilities. Such zones should be implemented in accordance with the State Vehicle Code.

2. The 1990 Census indicates that there are 137,748 senior citizens ages 60 or over in San Francisco. This number of senior citizens represents approximately 19 percent of the City's population of 723,959.

3. The sponsor of this legislation advises that Centro Latino de San Francisco, located at 15th and Julian Streets, is the agency that is responsible for initiating this proposed legislation. Centro Latino de San Francisco serves approximately 1,200 senior citizens. Program services include, meals, case management, health services and recreational activities. Ms. Gloria Bonilla, Director of Centro Latino de San Francisco, reports that 15th and Julian Streets has become a major thoroughfare that is heavily used by motorists. There is no traffic signal at this intersection and stop signs are on Julian Street only. As such, according to Ms. Bonilla, it is difficult for the senior citizens who participate in the program at Centro Latino de San Francisco to access the facility. Ms. Bonilla advises that this lack of accessibility is compounded by the fact that 37 percent of the senior citizens that participate in the program are frail or disabled.

Comments

1. Mr. Tim Johnson of the Parking and Traffic Department reports that the Department recommends that it should undertake an analysis of the appropriate location for the proposed senior crossing zones, taking into consideration accident history and the size of the senior facilities. The Department would solicit input for their analysis from the Commission on Aging, the Department of Public Health and the Department of Social Services.

2. The Department of Parking and Traffic estimates that the cost to install a single senior crossing zone (signs only) would total approximately \$600. This would entail an average of six signs per zone (four signs at the approach of the intersection, one sign in advance of the intersection and one sign at the intersection). The Department anticipates that most senior crossing zones would already have cross walks and curb markings. There are approximately 25 non-profit agencies plus three City agencies, for a total of 28 agencies, which serve 700 to 1,000 + senior citizens annually. If senior crossing zones were located adjacent to all 28 of these agencies, the total cost of installation would be \$16,800 (28 x \$600). Based on these costs, the Budget Analyst has projected that this proposed legislation would have fiscal impact on the City's budget.

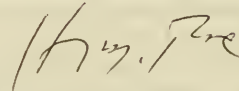
3. Mr. Johnson reports that the Department would normally fund such crossing zones from monies in its Sign Shop Budget (Gas Tax). Mr. Johnson advises while these funds have been committed, that sufficient funding could be

Memo to Economic and Social Policy Committee  
October 8, 1991 Economic and Social Policy Committee Meeting

available to install the crossing zones over a period of time, on an incremental basis.

**Recommendation**

Approval of the proposed resolution is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board  
Legislative Policy Analysts  
Chief Administrative Officer  
Controller  
Sam Yockey  
Ted Lakey

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CALENDAR - ACTIONS TAKEN

REGULAR MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, OCTOBER 8, 1991 - 2:00 P.M.

ROOM 228, CITY HALL

PRESENT: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

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ABSENT: SUPERVISOR ALIOTO - ITEMS 3 and 4

OCT 11 1991

CLERK: KAY GULBENGAY

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1. File 35-91-1. [26th Street - Dedicated Public Use] Resolution approving map showing the opening of Twenty-Sixth Street between Treat Avenue and Harrison Street; declaring Twenty-Sixth to be open public streets dedicated to public use, and making findings pursuant to City Planning Code Section 101.1. (Department of Public Works)

(Continued from 9/24/91)

FISCAL IMPACT

ACTION: Hearing held. Tabled.

File 35-91-1.1. Hearing held. Resolution prepared in and reported out of committee.

Entitled: "Repealing Resolution No. 823-90, which requested the Chief Administrative Officer and the Director of the Department of Public Works to consider rededicating 26th Street between Harrison Street and Treat Avenue as a public street, and reconfirming the desire of the Board to have this portion of 26th Street remain vacated."  
Recommended.

2. File 115-91-11. [Hotel and Motel Impacts] Ordinance amending Planning Code by amending Sections 209.2 and 216 thereof, to require all proposed tourist hotel and motel development projects to obtain a conditional use permit and amending Section 303 thereof, to require the Planning Commission, in determining whether to grant a conditional use permit for a tourist hotel or motel, to consider the impacts of the workforce of the proposed hotel or motel on the demand for housing, transit, employment, and childcare, and the market demand for hotel or motel, excepting therefrom the impacts of the workforce on housing of certain projects within the jurisdiction of the San Francisco Port Commission. (Department of City Planning)  
(Approved by City Planning Commission Resolution No. 13130)  
(Environmental Review exempt by General Rule Exclusion.)

ACTION: Hearing held. Continued to October 22, 1991 meeting with pending amendments to be prepared by the City Attorney reflecting certain "grandfathering" provisions.





3. File 20-91-13. [Seniors – Prima Facie Speed Limits] Resolution determining that the City and County of San Francisco should implement a traffic regulation program pursuant to the vehicle code, and urging the Mayor to urge the Parking and Traffic Commission to urge the Director of the Parking and Traffic Department to post signs that warn drivers of "senior" crossing zones in areas used by seniors to visit senior facilities." (Supervisor Gonzalez)

FISCAL IMPACT

ACTION: Hearing held. Recommended. Transferred to Finance Committee.

4. File 171-91-16. Hearing to consider enacting traffic measures to curtail the problem of cars speeding along Argonaut/Garrison Avenues. (Supervisor Ward)

ACTION: Hearing held. Filed.



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REGULAR MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, OCTOBER 22, 1991 - 3:00 P.M.

ROOM 228, CITY HALL

MEMBERS: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

CLERK: KAY GULBENGAY

1. File 207-91-5. Hearing to consider to the reasons why applicants for San Francisco Police Officers, from 1986 to the present, while having passed the test for Police Officer, were denied or eliminated in the background process and that the Chief of Police or his representative, a representative from Retention and Recruitment and the commanding officer in personnel be present at this hearing. (Supervisor Kennedy)

ACTION:

2. File 107-90-2. Hearing to consider the Department of Social Services' Fraud Early Detection Program. (Supervisor Kennedy)  
(Continued from 9/24/91)

ACTION:

3. File 115-91-11. [Hotel and Motel Impacts] Ordinance amending Planning Code by amending Sections 209.2 and 216 thereof, to require all proposed tourist hotel and motel development projects to obtain a conditional use permit and amending Section 303 thereof, to require the Planning Commission, in determining whether to grant a conditional use permit for a tourist hotel or motel, to consider the impacts of the workforce of the proposed hotel or motel on the demand for housing, transit, employment, and childcare, and the market demand for hotel or motel, excepting therefrom the impacts of the workforce on housing of certain projects within the jurisdiction of the San Francisco Port Commission. (Department of City Planning)  
(Continued from 10/8/91)

(Approved by City Planning Commission Resolution No. 13130)  
(Environmental Review General Rule Exclusion.)

ACTION:

4. File 12-91-46. [Redistricting] Resolution placing the City and County of San Francisco on record in support of the Reapportionment Plan approved by the Legislature for State Senate Districts 3 and 8 in the City and County of San Francisco. (Supervisor Shelley, Maher)

ACTION:

5. File 20-91-17. Hearing to consider banning lefthand turn lanes on Van Ness Avenue, south of Bush Street and establishing Gough Street as a one-way street from Lombard Street. (Supervisor Maher)

ACTION:

6. File 47-91-14. Hearing to consider the parking rate increase for City Parking Garages to determine whether it would be better to lower the parking rates on Sunday to encourage more patrons to utilize the City Parking Garages when lots are normally not full. (Supervisor Gonzalez)

ACTION:

7. File 171-91-15. [Traffic Improvements] Resolution urging the Mayor to urge the Parking and Traffic Authority to produce a plan to expend FEMA funds on various traffic improvements, to initiate an origination/destination study; urging the Mayor to urge the Department of Public Works to apply for Federal and State highway funds; urging the Mayor to urge the appropriate City departments to work with Caltrans to develop a "Smart Corridor" plan for the Van Ness Corridor. (Supervisor Maher)

#### FISCAL IMPACT

ACTION:

#### SPECIAL ORDER - 6:30 P.M.

8. File 171-91-2. [Increase in Caltrain Frequency] Resolution supporting the increase in Caltrain frequency. (Supervisor Kennedy)  
(Continued from 9/10/91)

ACTION:

#### CHAIR INTENDS TO ENTERTAIN A MOTION TO TABLE THE FOLLOWING ITEM:

9. File 36-91-3. [Zoning Map Change] Ordinance adopting changes in property height classification as an amendment to the Zoning Map of the City and County by reducing to a forty foot height limit property in the area bounded by the Embarcadero, Broadway, Battery and Green Streets. (Supervisor Maher)

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CITY AND COUNTY



OF SAN FRANCISCO

## BOARD OF SUPERVISORS

BUDGET ANALYST

1390 MARKET STREET, SUITE 1025

SAN FRANCISCO, CALIFORNIA 94102 • TELEPHONE (415) 554-7642

October 17, 1991

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OCT 21 1991

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**TO:** Economic and Social Policy Committee

**FROM:** Budget Analyst - Recommendations

**SUBJECT:** October 22, 1991 Economic and Social Policy Committee Meeting

Item 2 - File 107-90-2

**Note:** This item was continued from the Economic and Social Policy Committee Meeting of September 24, 1991.

The Budget Analyst has prepared and transmitted a report, dated September 18, 1991, on the cost effectiveness of the "Front-end" early fraud detection (FRED) Program. For specific details, refer to the September 18, 1991 Budget Analyst report on the cost effectiveness of the FRED Program.

**Department:** Department of Social Services (DSS)

**Item:** Hearing on the Department of Social Services' "Front-end" Early Fraud Detection (FRED) Program.

**Description:** In March of 1990, DSS began operating a "Front-end" early fraud detection program, known as FRED, for the Aid to Families with Dependent Children (AFDC), Food Stamps, and General Assistance Programs. According to DSS, San Francisco is the 24th county in California to develop a FRED Program. The objectives of the FRED Program are to:



- 1) Prevent ineligible persons from receiving aid for which they have applied;
- 2) Reduce the number of referrals for prosecution of welfare fraud;
- 3) Attempt to find, for ineligible persons, alternative sources of aid for which they are eligible.

The FRED Program attempts to verify information given in client applications, which are used to determine the eligibility of the client. FRED investigators do not review all applications; rather, eligibility workers for the AFDC, Food Stamps, and General Assistance Programs refer selected applications to the FRED Program for verification. DSS investigators for the FRED Program verify application information through home visits, client interviews, authorized third party contacts, and other resources. After the investigator verifies the application information, the investigator recommends that the client either receive aid, be denied aid, or be referred to another aid program for which the client may be eligible.

The FRED Program is staffed with one Supervisor, eight Eligibility Workers, one Social Worker, and one Clerk.

For the period July 1, 1990 through June 30, 1991, the FRED Program has handled an estimated 1,994 case referrals. Of the total of 1,994 referrals, FRED Program staff found 987 cases to be ineligible and recommended that aid be denied or discontinued for these 987 cases.

**Comments:**

1. The Budget Analyst, in the report on the cost effectiveness of the FRED Program, estimates that, for the period July 1, 1990 through June 30, 1991, the FRED Program, prior to DSS expenses, has saved a total of \$1,640,914 or about \$823 per referral of the total of 1,994 referrals. Taking into account the costs of the FRED Program, the net savings for FY 1990-91 is estimated to be \$1,189,085.
2. Of the total net savings of \$1,189,085 for FY 1990-91, approximately \$537,072 (45.2 percent) would accrue to the Federal Government; \$535,881 (45.0 percent) would accrue to the State; and \$116,132 (9.8 percent) would accrue to the County General Fund. The reason why most of the savings accrue to the Federal and State governments is because the AFDC and Food Stamps programs are 95 percent funded by the Federal and State governments. The City pays for the remaining five percent of the cost of these programs. Therefore, the Federal and State governments receive most of the savings benefit from the FRED Program.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

3. For FY 1991-92, the Budget Analyst projects that the FRED Program will yield a total net savings of \$1,684,385, of which approximately \$710,379 (42.2 percent) is savings to the Federal Government; \$673,219 (40 percent) is savings to the State; and \$300,787 (17.9 percent) is savings to the County General Fund.



Item 3 - File 115-91-11

**Note:** This item was continued at the Economic and Social Policy Committee meeting of October 8, 1991.

1. The proposed ordinance would amend the Planning Code by amending Sections 209.2 and 216 thereof, to require all proposed tourist hotel and motel development projects to obtain a conditional use permit and amending Section 303 thereof, to require the Planning Commission, in determining whether to grant a conditional use permit for a tourist hotel or motel, to consider the impacts of the workforce of the proposed hotel or motel on the demand for housing, transit, employment, and childcare, and the market demand for housing, transit, employment, and childcare, and the market demand for hotel or motel, except the impacts of the workforce on housing of certain projects within the jurisdiction of the San Francisco Port Commission.

2. According to a City Planning Commission resolution of July 18, 1991 which approved the requirement of conditional use permits for all new tourist hotels and motels, since 1981, there has been a proliferation of new tourist hotels and motels, both by construction and by conversion from other uses, with approximately 10,000 new rooms added, and approximately 3,000 new hotel jobs added, which represent 21 percent of the overall gain in jobs in San Francisco since 1986. However, according to a consultant's report completed for the Department of City Planning, 75 percent of all new residential units produced during the 1980s have not been affordable to many of the workers in hotel, retail and business and professional services where employment gains have been concentrated.

3. According to Mr. Robert Passmore of the Planning Department, most proposed hotel and motel projects currently are required to file a conditional use permit for other reasons. Mr. Passmore reports that given that existing Planning staff is usually required to complete a conditional use permit for most proposed hotel and motel projects, any costs associated with the proposed ordinance could be absorbed by existing Planning Department staff within the existing conditional use fees. The current average fee for a conditional use permit is \$500, depending upon the value of the proposed project. Therefore, the proposed ordinance would have no additional fiscal impact upon the City.

4. At the Economic and Social Policy Committee meeting of October 8, 1991, potential changes to the proposed legislation were discussed, which may include the following provisions:

- Include provision which would consider the extent to which San Francisco residents are hired in new tourist hotels and motels;
- Include a grandfather clause which would exempt permit applications filed before a certain date.

Memo to Economic and Social Policy Committee  
October 22, 1991 Economic and Social Policy Committee Meeting

The City Attorney's Office reports that these provisions are being further discussed, and that a proposed Amendment to the Whole is currently being drafted. As of the writing of this report, the Amendment of the Whole was not available for review.

**Recommendation**

Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Item 6 - File 47-91-14

1. This item is a hearing to consider the recent parking rate increases at City-owned parking garages to determine whether it would be better to lower the parking rates on Sundays to encourage more patrons to utilize the City parking garages when lots are normally not full.

2. The Board of Supervisors recently approved legislation (File 47-91-12) to increase rates at the City-owned parking facilities, to offset the increased costs incurred by the operation of the City-owned parking facilities as a result of the recent increase in the City's parking tax rate from 20 percent to 25 percent.

3. The Board of Directors of the City of San Francisco Uptown Parking Corporation, which operates the Sutter-Stockton Garage, have requested a review of the parking rate increases, with regard to Sunday parking. Mr. Richard Guynn, Secretary and Treasurer of the Corporation reports that approximately 10 to 15 percent of the Sutter-Stockton Garage is utilized on Sundays with the exception of the Sundays in December immediately prior to Christmas. The Board of Directors believes that the recent increase in parking rates will discourage parking on Sundays by those patrons who are already using the garage, as opposed to increasing revenues, thereby having an adverse affect on downtown businesses. The Board of Directors adds that Sundays are a family day and lower parking rates would be an inducement for families to come to the Union Square area for a family outing.

4. Mr. Kevin Hagerty of the Department of Parking and Traffic reports that the Department conducted a parking survey, on several City garages, that included the Sutter-Stockton Garage, in November and December of 1990. The survey determined that during this peak period, the Sutter-Stockton Garage was never filled to capacity on Sundays. According to Mr. Hagerty, the Department acknowledges that the Sutter-Stockton Garage is underutilized on Sundays. As such, the Department has drafted legislation which would request that the Sunday parking rates at the Sutter-Stockton Garage be lowered to their previous rates, as follows:

	<u>Current Rate</u>	<u>Proposed Rate</u>
1 hr.	\$0.75	\$0.75
2 hrs.	1.25	1.25
3 hrs.	2.50	2.50*
4 hrs.	4.75	-
5 hrs.	8.00	-
6 hrs.	11.00	-
7 hrs.	14.75	-

\*Maximum parking rate is \$2.50 for three or more hours.



5. As of the writing of this report, the Department of Parking and Traffic was unable to provide a specific timetable for when the proposed legislation would be submitted to the Board of Supervisors.

6. Mr. Hagerty advises that the Ellis-O'Farrell Garage was the only other City garage which had special low Sunday rates, prior to the recent parking rate increases. According to Mr. Hagerty, the Department would be opposed to lowering the rates at the Ellis-O'Farrell Garage to the previous level because a random survey taken by the garage operator earlier this fiscal year determined that a sizeable percentage of vehicles which were parked in the garage on Sunday, had been parked there for eight to nine hours, which suggested that these vehicles belonged to employees of businesses located in the immediate vicinity. Mr. Hagerty advises that the Ellis-O'Farrell garage is a fully utilized garage and extensive employee parking has an adverse effect on transient parking. Mr. Hagerty adds that any consideration of lowering parking rates at all City garages would require further study by the Department as well as the Parking and Traffic Commission.

Item 7 - File 171-91-15

1. The proposed resolution would urge the Mayor to urge the Parking and Traffic Authority to produce a plan to expend Federal Emergency Management Agency (FEMA) funds on various traffic improvements, to initiate an origination/destination study; would urge the Mayor to urge the Department of Public Works to apply for Federal and State highway funds; and would urge the Mayor to urge the appropriate City departments to work with Caltrans to develop a "Smart Corridor" plan for the Van Ness Corridor.

2. The sponsor of the legislation has requested that this legislation be continued for one month.

**Recommendation**

Continue the proposed resolution for one month.



Item 8 - File 171-91-2

**Note:** This item was continued from the September 10, 1991 Economic and Social Policy Committee Meeting.

The proposed resolution would support the increase in CalTrain services. As specifically stated in the proposed legislation, this resolution would make it the policy of the City and County of San Francisco to support the consideration by the Metropolitan Transportation Commission (MTC) and local counties allocating additional funding to expedite operation of more trains on the Peninsula, with particular emphasis on reverse peak commute and hourly midday service.

According to Mr. Eric Schatmeier of the California Department of Transportation (Caltrans), CalTrain has traditionally been a commuter railroad bringing commuters from the Peninsula to San Francisco since 1907. Although the number of CalTrain trains has increased periodically since the 1960's, basic CalTrain service has not changed. Service consists of one train every two hours during non-commuter hours, and trains approximately every 15 minutes during commuter hours, for a total of 54 trains per weekday.

The proposed resolution would support an increase from one train every two hours to one train every hour from 10:00 am to 4:00 pm. In addition, the proposed resolution would support an increase in trains during peak commuter hours for the reverse commute, that is, from San Francisco to the Peninsula in the morning and from the Peninsula to San Francisco in the evening. According to Mr. Schatmeier, this would increase the total number of trains per weekday from 54 to 60.

**Comments**

1. CalTrain is currently operated by Southern Pacific Railway and subsidized 50 percent by Caltrans. The remaining 50 percent of the operating costs are determined by ridership and are shared by San Francisco (5.1 percent), San Mateo (25.5 percent) and Santa Clara (19.4 percent) counties. San Francisco's share for FY 1990-91 was approximately \$788,286.

2. Management of CalTrain is scheduled to be taken over by the local jurisdictions of San Francisco, San Mateo and Santa Clara Counties after 1993, per State legislation which requires that the State shall not subsidize CalTrain. The new local CalTrain management organization will be the nine member Peninsula Corridors Study Joint Powers Board, which consists of three members each from San Francisco, San Mateo, and Santa Clara counties.

3. Mr. Schatmeier reports that the long-term goal of the Joint Powers Board is to increase the number of weekday trains to 96 by the year 2000, and 114 by the year 2005. According to Mr. Alan Hirsch of the CalTrain Citizens Advisory Committee, the Joint Powers Board would also like to increase the number of weekend trains from one every two hours to one every hour by FY 1995-96.

4. According to the proposed resolution, CalTrain has not added additional trains since 1987. However, Mr. Schatmeier reports, on April 1, 1991, the number of trains was increased from 52 per weekday to 54 per weekday as a result of the availability of State earthquake funds. Therefore, the proposed resolution should be amended to state that additional trains were last added to the service in 1991.

5. The proposed resolution states that CalTrain is the most cost effective transit operation in Santa Clara and San Mateo Counties, with riders paying 60 to 400 percent more of the overall operating costs and the service itself operating at a cost of 60-80 percent less per passenger mile than existing light rail and bus systems. To clarify, Santa Clara and San Mateo County riders pay 60 to 400 percent more of the overall operating costs for CalTrain than for existing light rail and bus systems in those counties.

According to Mr. Alan Hirsch of CalTrain Citizens' Advisory Committee, riders pay just under 40 percent of CalTrain operating costs, while, for example, riders pay 6 percent of the operating costs for the Santa Clara County light rail system. To clarify the proposed legislation, the sixth paragraph of the proposed resolution could be amended to include the following underlined portion: Whereas, CalTrain is the most cost effective transit operation in Santa Clara and San Mateo Counties, with riders paying 60-400 percent more of the overall operating costs for CalTrain than for existing light rail and bus systems, and CalTrain service operates at a cost of 60-80 percent less per passenger mile than existing light rail and bus systems.

6. The Joint Powers Board assumes that increased frequency would result in increased ridership. Mr. Hirsch reports that the assumption that CalTrain ridership would increase with increased service is based on two facts: (1) the most common complaint from potential riders about CalTrain is that daytime service is too infrequent to be convenient, and (2) historically, each increase in frequency has resulted in measurable increased use.

According to Mr. Schatmeier, the increase in the number of trains will therefore decrease the per train cost, and thus decrease the cost per passenger mile and increase the percentage support of operating costs through fares. Mr. Hirsch reports that according to a Santa Clara County policy study, if train frequency went up to 66 trains per day, an increase of 22 percent over the current 54 per day, cost per passenger mile would decrease 25 percent.

Mr. Schatmeier asserts that the goal of the the Joint Powers Board is to increase the number of trains without increasing total absolute costs by operating the trains more efficiently.

7. Mr. Schatmeier reports that the Joint Powers Board is negotiating to purchase the CalTrain right-of-way from Southern Pacific Railway. Mr. Schatmeier indicates that the California Transportation Commission (CTC) has earmarked \$120 million in Proposition 116 funds for the Joint Powers Board to purchase the CalTrain right-of-way from Southern Pacific Railway. As a condition of the right-of-way purchase, the three counties have agreed to

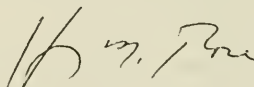
demonstrate a commitment to operate service at a level of 66 trains per day. As noted above, the number of trains could be increased without increasing total absolute costs by operating the trains more efficiently. However, the counties are scheduled to assume the total cost of CalTrain without a State subsidy after 1993, and it has not yet been determined whether the three counties could support these costs after 1993.

Mr. Hirsch reports that a major reason for the purchase of the CalTrain right-of-way is to eliminate Southern Pacific as the CalTrain operator. According to Mr. Hirsch, due to Southern Pacific's inefficient operating procedures, the cost of operating CalTrain is much higher than necessary. The Joint Powers Board hopes to increase efficiency with a new operator through such methods as automated ticketing and increased workforce productivity.

If the purchase of the Southern Pacific right-of-way is successful, the goal of the Joint Powers Board is to choose a new operator by the spring of 1992. According to Mr. Schatmeier, the Joint Powers Board has already issued an RFP to three interested and qualified potential operators.

### Recommendation

Amend line 5 of the proposed resolution to state that additional trains were last added to the service in 1991. To clarify, amend the sixth paragraph of the proposed resolution to include the following underlined language: Whereas, CalTrain is the most cost effective transit operation in Santa Clara and San Mateo Counties, with riders paying 60-400 percent more of the overall operating costs for CalTrain than for existing light rail and bus systems, and CalTrain service operates at a cost of 60-80 percent less per passenger mile than existing light rail and bus systems. Approval of the proposed resolution as amended is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Kennedy	Supervisor Maher
Supervisor Migden	Supervisor Shelley
Supervisor Alioto	Clerk of the Board
President Ward	Legislative Policy Analysts
Supervisor Achtenberg	Chief Administrative Officer
Supervisor Britt	Controller
Supervisor Gonzalez	Sam Yockey
Supervisor Hallinan	Ted Lakey
Supervisor Hsieh	

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**





CITY AND COUNTY



OF SAN FRANCISCO

## BOARD OF SUPERVISORS

BUDGET ANALYST

1390 MARKET STREET, SUITE-1025

SAN FRANCISCO, CALIFORNIA 94102 • TELEPHONE (415) 554-7642

October 24, 1991

DOCUMENTS DEPT.

TO: Economic and Social Policy Committee

FROM: Budget Analyst - *Recommendations*

SUBJECT: October 29, 1991 Special Economic and Social Policy Committee

OCT 29 1991

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Item 2 - File 115-91-11

**Note:** This item was continued at the Economic and Social Policy Committee meeting of October 8, 1991.

1. The proposed ordinance would amend the Planning Code by amending Sections 209.2 and 216 thereof, to require all proposed tourist hotel and motel development projects to obtain a conditional use permit and amending Section 303 thereof, to require the Planning Commission, in determining whether to grant a conditional use permit for a tourist hotel or motel, to consider the impacts of the workforce of the proposed hotel or motel on the demand for housing, transit, employment, and childcare, and the market demand for housing, transit, employment, and childcare, and the market demand for hotel or motel, except the impacts of the workforce on housing of certain projects within the jurisdiction of the San Francisco Port Commission.

2. According to a City Planning Commission resolution of July 18, 1991 which approved the requirement of conditional use permits for all new tourist hotels and motels, since 1981, there has been a proliferation of new tourist hotels and motels, both by construction and by conversion from other uses, with approximately 10,000 new rooms added, and approximately 3,000 new hotel jobs added, which represent 21 percent of the overall gain in jobs in San Francisco since 1986. However, according to a consultant's report completed for the Department of City Planning, 75 percent of all new residential units produced during the 1980s have not been affordable to many of the workers in hotel, retail and business and professional services where employment gains have been concentrated.

3. According to Mr. Robert Passmore of the Planning Department, most proposed hotel and motel projects currently are required to file a conditional use permit for other reasons. Mr. Passmore reports that given that existing Planning staff is usually required to complete a conditional use permit for most proposed hotel and motel projects, any costs associated with the proposed ordinance could be absorbed by existing Planning Department staff within the existing conditional use fees. The current average fee for a conditional use permit is \$500, depending upon the value of the proposed project. Therefore, the proposed ordinance would have no additional fiscal impact upon the City.

4. At the Economic and Social Policy Committee meeting of October 8, 1991, potential changes to the proposed legislation were discussed, which may include the following provisions:

- Include provision which would consider the extent to which San Francisco residents are hired in new tourist hotels and motels;

- Include a grandfather clause which would exempt permit applications filed before a certain date.

The City Attorney's Office reports that these provisions are being further discussed, and that a proposed Amendment to the Whole is currently being drafted. As of the writing of this report, the Amendment of the Whole was not available for review.

### **Recommendation**

Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Item 3 - File 47-91-14

1. This item is a hearing to consider the recent parking rate increases at City-owned parking garages to determine whether it would be better to lower the parking rates on Sundays to encourage more patrons to utilize the City parking garages when lots are normally not full.

2. The Board of Supervisors recently approved legislation (File 47-91-12) to increase rates at the City-owned parking facilities, to offset the increased costs incurred by the operation of the City-owned parking facilities as a result of the recent increase in the City's parking tax rate from 20 percent to 25 percent.

3. The Board of Directors of the City of San Francisco Uptown Parking Corporation, which operates the Sutter-Stockton Garage, have requested a review of the parking rate increases, with regard to Sunday parking. Mr. Richard Guynn, Secretary and Treasurer of the Corporation reports that approximately 10 to 15 percent of the Sutter-Stockton Garage is utilized on Sundays with the exception of the Sundays in December immediately prior to Christmas. The Board of Directors believes that the recent increase in parking rates will discourage parking on Sundays by those patrons who are already using the garage, as opposed to increasing revenues, thereby having an adverse affect on downtown businesses. The Board of Directors adds that Sundays are a family day and lower parking rates would be an inducement for families to come to the Union Square area for a family outing.

4. Mr. Kevin Hagerty of the Department of Parking and Traffic reports that the Department conducted a parking survey, on several City garages, that included the Sutter-Stockton Garage, in November and December of 1990. The survey determined that during this peak period, the Sutter-Stockton Garage was never filled to capacity on Sundays. According to Mr. Hagerty, the Department acknowledges that the Sutter-Stockton Garage is underutilized on Sundays. As such, the Department has drafted legislation which would request that the Sunday parking rates at the Sutter-Stockton Garage be lowered to their previous rates, as follows:

	<u>Current Rate</u>	<u>Proposed Rate</u>
1 hr.	\$0.75	\$0.75
2 hrs.	1.25	1.25
3 hrs.	2.50	2.50*
4 hrs.	4.75	-
5 hrs.	8.00	-
6 hrs.	11.00	-
7 hrs.	14.75	-

\*Maximum parking rate is \$2.50 for three or more hours.

5. As of the writing of this report, the Department of Parking and Traffic was unable to provide a specific timetable for when the proposed legislation would be submitted to the Board of Supervisors.

6. Mr. Hagerty advises that the Ellis-O'Farrell Garage was the only other City garage which had special low Sunday rates, prior to the recent parking rate increases. According to Mr. Hagerty, the Department would be opposed to lowering the rates at the Ellis-O'Farrell Garage to the previous level because a random survey taken by the garage operator earlier this fiscal year determined that a sizeable percentage of vehicles which were parked in the garage on Sunday, had been parked there for eight to nine hours, which suggested that these vehicles belonged to employees of businesses located in the immediate vicinity. Mr. Hagerty advises that the Ellis-O'Farrell garage is a fully utilized garage and extensive employee parking has an adverse effect on transient parking. Mr. Hagerty adds that any consideration of lowering parking rates at all City garages would require further study by the Department as well as the Parking and Traffic Commission.



Item 4 - File 171-91-2

**Note:** This item was continued from the September 10, 1991 Economic and Social Policy Committee Meeting.

The proposed resolution would support the increase in CalTrain services. As specifically stated in the proposed legislation, this resolution would make it the policy of the City and County of San Francisco to support the consideration by the Metropolitan Transportation Commission (MTC) and local counties allocating additional funding to expedite operation of more trains on the Peninsula, with particular emphasis on reverse peak commute and hourly midday service.

According to Mr. Eric Schatmeier of the California Department of Transportation (Caltrans), CalTrain has traditionally been a commuter railroad bringing commuters from the Peninsula to San Francisco since 1907. Although the number of CalTrain trains has increased periodically since the 1960's, basic CalTrain service has not changed. Service consists of one train every two hours during non-commuter hours, and trains approximately every 15 minutes during commuter hours, for a total of 54 trains per weekday.

The proposed resolution would support an increase from one train every two hours to one train every hour from 10:00 am to 4:00 pm. In addition, the proposed resolution would support an increase in trains during peak commuter hours for the reverse commute, that is, from San Francisco to the Peninsula in the morning and from the Peninsula to San Francisco in the evening. According to Mr. Schatmeier, this would increase the total number of trains per weekday from 54 to 60.

**Comments**

1. CalTrain is currently operated by Southern Pacific Railway and subsidized 50 percent by Caltrans. The remaining 50 percent of the operating costs are determined by ridership and are shared by San Francisco (5.1 percent), San Mateo (25.5 percent) and Santa Clara (19.4 percent) counties. San Francisco's share for FY 1990-91 was approximately \$788,286.

2. Management of CalTrain is scheduled to be taken over by the local jurisdictions of San Francisco, San Mateo and Santa Clara Counties after 1993, per State legislation which requires that the State shall not subsidize CalTrain. The new local CalTrain management organization will be the nine member Peninsula Corridors Study Joint Powers Board, which consists of three members each from San Francisco, San Mateo, and Santa Clara counties.

3. Mr. Schatmeier reports that the long-term goal of the Joint Powers Board is to increase the number of weekday trains to 96 by the year 2000, and 114 by the year 2005. According to Mr. Alan Hirsch of the CalTrain Citizens Advisory Committee, the Joint Powers Board would also like to increase the number of weekend trains from one every two hours to one every hour by FY 1995-96.



4. According to the proposed resolution, CalTrain has not added additional trains since 1987. However, Mr. Schatmeier reports, on April 1, 1991, the number of trains was increased from 52 per weekday to 54 per weekday as a result of the availability of State earthquake funds. Therefore, the proposed resolution should be amended to state that additional trains were last added to the service in 1991.

5. The proposed resolution states that CalTrain is the most cost effective transit operation in Santa Clara and San Mateo Counties, with riders paying 60 to 400 percent more of the overall operating costs and the service itself operating at a cost of 60-80 percent less per passenger mile than existing light rail and bus systems. To clarify, Santa Clara and San Mateo County riders pay 60 to 400 percent more of the overall operating costs for CalTrain than for existing light rail and bus systems in those counties.

According to Mr. Alan Hirsch of CalTrain Citizens' Advisory Committee, riders pay just under 40 percent of CalTrain operating costs, while, for example, riders pay 6 percent of the operating costs for the Santa Clara County light rail system. To clarify the proposed legislation, the sixth paragraph of the proposed resolution could be amended to include the following underlined portion: Whereas, CalTrain is the most cost effective transit operation in Santa Clara and San Mateo Counties, with riders paying 60-400 percent more of the overall operating costs for CalTrain than for existing light rail and bus systems, and CalTrain service operates at a cost of 60-80 percent less per passenger mile than existing light rail and bus systems.

6. The Joint Powers Board assumes that increased frequency would result in increased ridership. Mr. Hirsch reports that the assumption that CalTrain ridership would increase with increased service is based on two facts: (1) the most common complaint from potential riders about CalTrain is that daytime service is too infrequent to be convenient, and (2) historically, each increase in frequency has resulted in measurable increased use.

According to Mr. Schatmeier, the increase in the number of trains will therefore decrease the per train cost, and thus decrease the cost per passenger mile and increase the percentage support of operating costs through fares. Mr. Hirsch reports that according to a Santa Clara County policy study, if train frequency went up to 66 trains per day, an increase of 22 percent over the current 54 per day, cost per passenger mile would decrease 25 percent.

Mr. Schatmeier asserts that the goal of the the Joint Powers Board is to increase the number of trains without increasing total absolute costs by operating the trains more efficiently.

7. Mr. Schatmeier reports that the Joint Powers Board is negotiating to purchase the CalTrain right-of-way from Southern Pacific Railway. Mr. Schatmeier also reports that the total cost of purchasing the right-of-way from Southern Pacific is approximately \$220 million. Mr. Schatmeier indicates that the California Transportation Commission (CTC) will contribute \$120 million in Proposition 116 funds for the Joint Powers Board to purchase the CalTrain right-of-way from Southern Pacific Railway, and the remaining approximate \$100 million would come from the three counties. However, Mr. Schatmeier states that San Francisco has already transferred property in San Mateo County which San Francisco owns to San Mateo County to pay for its share of the cost of the CalTrain right-of-way. Mr. Schatmeier further states that San Mateo County has agreed to advance Santa Clara County funds for their share of the cost in order to complete the right-of-way purchase. As a condition of the right-of-way purchase, the three counties have agreed to demonstrate a commitment to operate service at a level of 66 trains per day. As noted above, the number of trains could be increased without increasing total absolute costs by operating the trains more efficiently. However, the counties are scheduled to assume the total cost of CalTrain without a State subsidy after 1993, and it has not yet been determined whether the three counties could support these costs after 1993.

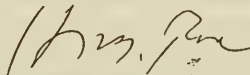
Mr. Hirsch reports that a major reason for the purchase of the CalTrain right-of-way is to eliminate Southern Pacific as the CalTrain operator. According to Mr. Hirsch, due to Southern Pacific's inefficient operating procedures, the cost of operating CalTrain is much higher than necessary. The Joint Powers Board hopes to increase efficiency with a new operator through such methods as automated ticketing and increased workforce productivity.

If the purchase of the Southern Pacific right-of-way is successful, the goal of the Joint Powers Board is to choose a new operator by the spring of 1992. According to Mr. Schatmeier, the Joint Powers Board has already issued an RFP to three interested and qualified potential operators.

### Recommendation

Amend line 5 of the proposed resolution to state that additional trains were last added to the service in 1991. To clarify, amend the sixth paragraph of the proposed resolution to include the following underlined language: Whereas, CalTrain is the most cost effective transit operation in Santa Clara and San Mateo Counties, with riders paying 60-400 percent more of the overall operating costs for

CalTrain than for existing light rail and bus systems, and CalTrain service operates at a cost of 60-80 percent less per passenger mile than existing light rail and bus systems. Approval of the proposed resolution as amended is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board  
Legislative Policy Analysts  
Chief Administrative Officer  
Controller  
Sam Yockey  
Ted Lakey

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**CALENDAR**  
[ACTIONS TAKEN]  
**SPECIAL MEETING OF  
ECONOMIC & SOCIAL POLICY COUNCIL  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO**

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San Francisco, CA 94102

TUESDAY, OCTOBER 29, 1991 - 4:30 P.M.

ROOM 228, CITY HALL

DOCUMENTS DEPT.

MEMBERS: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

ABSENT: SUPERVISOR ALIOTO: ITEMS 1 - 5

CLERK: KAY GULBENGAY

NOV 1 - 1991

SAN FRANCISCO  
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1. File 207-91-5. Hearing to consider to the reasons why applicants for San Francisco Police Officers, from 1986 to the present, while having passed the test for Police Officer, were denied or eliminated in the background process and that the Chief of Police or his representative, a representative from Retention and Recruitment and the commanding officer in personnel be present at this hearing. (Supervisor Kennedy)

ACTION: Hearing held. Continued to call of the chair.

2. File 115-91-11. [Hotel and Motel Impacts] Ordinance amending Planning Code by amending Sections 209.2 and 216 thereof, to require all proposed tourist hotel and motel development projects to obtain a conditional use permit and amending Section 303 thereof, to require the Planning Commission, in determining whether to grant a conditional use permit for a tourist hotel or motel, to consider the impacts of the workforce of the proposed hotel or motel on the demand for housing, transit, employment, and childcare, and the market demand for hotel or motel, excepting therefrom the impacts of the workforce on housing of certain projects within the jurisdiction of the San Francisco Port Commission. (Department of City Planning)  
(Continued from 10/8/91)

(Approved by City Planning Commission Resolution No. 13130)  
(Environmental Review General Rule Exclusion.)

ACTION: Hearing held. Amendment of the whole (as presented in committee) adopted.

ENTITLED: "Amending Planning Code by amending Sections 209.2 and 216 thereof, to require all proposed tourist hotel and motel development projects to obtain a conditional use permit and amending Section 303 thereof to require the Planning Commission, in determining whether to grant a conditional use permit for a tourist hotel or motel, to consider the impacts of the workforce of the proposed hotel or motel on the demand for housing, transit, employment, and childcare, and the market demand for hotel or motel, excepting therefrom the impacts of the workforce on housing of certain projects within the jurisdiction of the San Francisco Port Commission and excepting residential hotels filing for conversion to tourist use prior to June 1, 1991."  
Continued to call of the chair.



3. File 47-91-14. Hearing to consider the parking rate increase for City Parking Garages to determine whether it would be better to lower the parking rates on Sunday to encourage more patrons to utilize the City Parking Garages when lots are normally not full. (Supervisor Gonzalez)

ACTION: Filed at the request of the author.

SPECIAL ORDER – 6:30 P.M.

4. File 171-91-2. [Increase in Caltrain Frequency] Resolution supporting the increase in Caltrain frequency. (Supervisor Kennedy)  
(Continued from 9/10/91)

ACTION: Hearing held. Tabled.

CHAIR INTENDS TO ENTERTAIN A MOTION TO TABLE THE FOLLOWING ITEM:

5. File 36-91-3. [Zoning Map Change] Ordinance adopting changes in property height classification as an amendment to the Zoning Map of the City and County by reducing to a forty foot height limit property in the area bounded by the Embarcadero, Broadway, Battery and Green Streets. (Supervisor Maher)

ACTION: Tabled.





CITY AND COUNTY



OF SAN FRANCISCO

## BOARD OF SUPERVISORS

BUDGET ANALYST

1390 MARKET STREET, SUITE 1025

SAN FRANCISCO, CALIFORNIA 94102 • TELEPHONE (415) 554-7642

November 15, 1991

DOCUMENT - 100

TO: Economic and Social Policy Committee

NOV 19 1991

FROM: Budget Analyst - Recommendations

SAN FRANCISCO  
PUBLIC LIBRARY

SUBJECT: November 20, 1991 Rescheduled Economic and Social Policy Committee Meeting

Item 3 - File 47-91-15

Department: Department of Parking and Traffic

Item: The proposed resolution would reinstate special Sunday parking rates at the Sutter-Stockton Parking Garage.

Description: The Board of Supervisors recently approved legislation (File 47-91-12) to increase parking rates at the City-owned parking facilities, to offset the increased costs incurred by the operation of the City-owned parking facilities as a result of the recent increase in the City's parking tax rate from 20 percent to 25 percent. The new parking rate increases included the elimination of the long-standing special lower Sunday rates at the Sutter-Stockton Parking Garage. The Board of Directors of the City of San Francisco Uptown Parking Corporation, a nonprofit corporation which operates the Sutter-Stockton Garage, has requested that the special lower Sunday rates be reinstated because (1) they believe that the recent rate increases will discourage parking on Sundays by those patrons who are already using the garage, thereby having an adverse effect on downtown businesses and (2) since Sundays are a family day, lower parking rates would be an inducement for families to come to the Union Square area for a family outing.

Mr. Kevin Hagerty of the Department of Parking and Traffic reports that the Department conducted a parking survey, on several City garages, that included the Sutter-Stockton Garage, in November and December of 1990. The survey determined that during this peak period, the Sutter-Stockton Garage was never filled to capacity on Sundays. According to Mr. Hagerty, the Department acknowledges that the Sutter-Stockton Garage is underutilized on Sundays and therefore concurs that the lower parking rates, as recommended by the Board of Directors of the City of San Francisco Uptown Parking Corporation, be reinstated.

The proposed legislation would reinstate the special Sunday parking rates at the Sutter-Stockton Garage as follows:

	<u>Current Rate</u>	<u>Proposed Rate</u>
1 hr.	\$0.75	\$0.75
2 hrs.	1.25	1.25
3 hrs.	2.50	2.50*
4 hrs.	4.75	-
5 hrs.	8.00	-
6 hrs.	11.00	-
7 hrs.	14.75	-

\* Maximum parking rate is \$2.50 for three or more hours. Therefore, the proposed Sunday rates would be reduced for those who park for over three hours to a flat rate of \$2.50.

**Comments:**

1. Mr. Hagerty reports that the Department projects that the reinstatement of the special lower Sunday parking rates would result in reduced revenues of approximately \$25,000 to \$50,000 annually to the City. Mr. Hagerty advises that within the \$25,000 to \$50,000 range, the actual level of the reduction in revenues would depend upon the extent to which the level of patronage at the Garage increases as a result of the reinstated special lower Sunday parking rates.

2. As noted above, since the proposed resolution would result in reduced revenues of \$25,000 to \$50,000 annually, the Budget Analyst has determined that the proposed legislation would have a fiscal impact on the City.

**Recommendation:** Approval the proposed resolution is a policy matter for the Board of Supervisors.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

Item 6 - File 244-91-1

1. This item is a hearing to consider the feasibility of placing public toilets throughout the Tenderloin and the Mission Districts.

2. In a letter to the Board of Supervisors, the Director of the Tenderloin AIDS Resource Center requested City support in obtaining public toilets for the Tenderloin community, because of potential public health hazards.

3. In 1987, the Department of Public Works (DPW), Bureau of Architecture, published a study of public restroom needs in various areas of the City. The study specifically examined, among other areas, the Tenderloin and Mission districts. As a result of that study, the Bureau of Architecture concluded that one additional restroom was needed in the Tenderloin to supplement existing private and publicly owned restrooms currently open to the public. The Bureau of Architecture recommended that a public restroom be located in MacCaulay Park near Larkin and O'Farrell Streets. The Bureau of Architecture also concluded that a lack of public restrooms in the Mission district warranted the addition of two restrooms to be located near the BART stations. However, according to Mr. Woodrow Jones of the Bureau of Architecture, these restrooms were never constructed.

4. According to Mr. Richard Cunningham of DPW, the City currently maintains a purchase contract for renting portable toilets. The contract specifies that the rental units must be serviced on a weekly basis, and the costs of all janitorial supplies, and installation and maintenance of the rental units must be included in the monthly rental price. The City could place portable toilets in the Tenderloin and Mission districts. Assuming a total of three additional restrooms are needed in the Tenderloin and Mission districts, as noted above, the cost of renting various sizes of portable toilets on an annual basis is summarized below:

<u>Size and Features</u>	<u>Rental Price per month</u>	<u>Annual Rental Cost</u>	<u>Total Annual Rental Cost of 3 Restrooms</u>
4 ft by 4 ft portable facility; one commode; separate urinal	\$36.50	\$438	\$1,314
4 ft by 6 ft portable facility; one commode; handicapped accessible	54.00	648	1,944
4 ft by 6 ft portable facility; one commode; separate urinal; mounted on a trailer	65.00	780	2,340
12 ft by 27 ft trailer; two commodes; two urinals; lighted interior and exterior; exhaust fans; air-conditioning	3,300.00	39,600	118,800

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

If the rental units require extra servicing on a weekly basis, the cost per servicing ranges from \$8.50 to \$100.00.

5. Another alternative would be to build permanent public toilet facilities. According to the PUC's Finance Bureau, MUNI has in the past built several permanent toilet facilities for the public and its transit operators. MUNI estimates that public toilet facilities could cost from \$80,000 to \$100,000 per site to construct, depending on the location and the amount of utility modifications needed to prepare the site. Once constructed, the City would incur further costs to maintain and service the public toilet facility. It should also be noted that the construction cost to build a public toilet facility for MUNI is generally higher, because MUNI builds such facilities along streets and pedestrian islands where sewer and water hookups do not normally exist. Consequently, existing sewer and water facilities must be modified and extended to the site to allow for a public toilet facility.

6. Ms. Joann Cooney of DPW states that DPW has not identified a source of funds, which could be used to pay for these public toilet facilities.



Item 7 - File 247-91-1.1

1. The proposed resolution would amend a resolution, previously approved by the Board of Supervisors which urged the Mayor to support an established Black Male Awareness Program, by further providing that the final outcome of the Program is to establish an all Black Male School.

2. The Board of Supervisors previously approved Resolution No. 874-91 which urged the Mayor to support an established Black Male Awareness Program. The proposed legislation would further provide that the final outcome of the Black Male Awareness Program is to establish an all Black Male School. The concept of the school is to (1) develop self-pride and esteem within the youth, (2) teach historical background of the African people, along with English, Math, Social Studies (Civics) and the pure sciences and (3) teach the day to day methodology for dealing with the governmental systems (i.e., City, State and Federal).

Comments

1. The Black Male Awareness Program is currently operated by the San Francisco Office of the Bay Area Urban League. The Bay Area Urban League is proposing that the Program be expanded to include an all Black Male School. Mr. George Mix, Director of the San Francisco Office of the Bay Area Urban League, reports that the School would accommodate approximately 150 students annually. Referrals to the School would come from San Francisco high schools and middle schools, as well as community agencies. Elementary schools would not be used as a referral source. Classes would be held after school and on weekends.

2. Mr. Mix projects that the annual cost to operate the School would be approximately \$300,000 to \$400,000 annually. According to Mr. Mix, the Bay Area Urban League plans to seek \$150,000 to \$200,000, of the \$300,000 to \$400,000 needed to annually support the School, from the City. The agency would solicit the remaining \$150,000 to \$200,000 from private foundations (i.e., Kaiser) and corporations. While the proposed legislation would not specifically commit the City to allocate funds for the School, the agency's plan to seek funding from the City to support the School, represents a potential fiscal impact on the City.

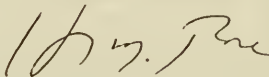
3. Mr. Mix advises that the Black Male Awareness Program will be temporarily housed at 3rd and Revere Streets (Old Wells Fargo Building) until such time as the agency can identify a permanent site for the Program.

4. As noted above, the agency plans to seek funding in the amount of \$150,000 to \$200,000 from the City. Therefore, the Budget Analyst has determined that the proposed legislation would have a potential fiscal impact on the City.



**Recommendation**

Approval of the proposed resolution is a policy matter for the Board of Supervisors.

  
Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board  
Chief Administrative Officer  
Controller  
Sam Yockey  
Ted Lakey

Page NO.	Program or Recipient	1992 Agency Request	1991 Budget	1992 MOCD Proposed Budget	Increase (Decrease) Over 1991 Funding	Budget Analyst Recommendations	
						Amount to be Funded	Amount to be Reduced
111	St. Francis Nutrition & Social Services Center	52,761	0	0	0	0	0
	St. Paulus Lutheran Church, ELCA	34,162	0	0	0	0	0
	St. Paulus Lutheran Church, ELCA	30,000	0	0	0	0	0
	St. Vincent de Paul Society of San Francisco	67,118	45,000	45,000	0	45,000	0
	St. Vincent de Paul Society of San Francisco	45,000	0	0	0	0	0
	Tariesson International	75,100	0	0	0	0	0
112	Third Baptist Church Ethiopian Refugee Resettlement	62,817	46,600	46,600	0	46,600	0
	Travelers Aid San Francisco	52,260	0	0	0	0	0
112	Volunteer Center of San Francisco	41,910	30,000	30,000	0	30,000	0
112	Whitney Young Child Development Center, Inc.	90,000	77,160	77,160	0	77,160	0
	Wu Yee Children's Services	26,796	0	0	0	0	0
113	Young Community Developers, Inc.	136,618	25,375	25,375	0	25,375	0
113	Youth for Service	20,000	10,000	10,000	0	10,000	0
	<b>Subtotal: Public Services Program</b>	<b>\$6,646,056</b>	<b>\$3,455,065</b>	<b>\$3,877,521</b>	<b>\$422,456</b>	<b>\$3,446,442</b>	<b>\$8,623</b>
115	<b>IX. Economic Development</b>						
117	Asian, Inc.	\$280,193	\$191,643	\$192,000	\$357	\$191,643	0
	Center for Southeast Asian Refugee Resettlement	48,100	0	0	0	0	0
117	Mission Economic Development Association	276,026	211,410	210,000	(1,410)	210,000	0
118	Urban Economic Development Corporation (UEDC)	230,826	174,530	175,000	470	174,530	0
119	Enterprise Zone Program Pool	465,832	0	370,000	370,000	370,000	0
	<b>Subtotal: Economic Development</b>	<b>\$1,300,977</b>	<b>\$577,583</b>	<b>\$947,000</b>	<b>\$369,417</b>	<b>\$576,173</b>	<b>\$0</b>
121	<b>X. Non-Profit Corporation Business Projects</b>						
	ASIAN, Inc. Handycare	\$30,206	\$0	\$0	\$0	\$0	\$0
124	African American Historical & Cultural Society	17,000	27,000	15,000	(12,000)	15,000	0
	Center for Southeast Asian Refugee Resettlement	40,140	0	0	0	0	0
	Centro del Pueblo	20,000	20,000	0	(20,000)	0	0
	Conard House, Inc.	50,000	0	0	0	0	0
124	Friends of The Mission Cultural Center	40,000	25,000	15,000	(10,000)	15,000	0
124	Japanese Community Youth Council	48,870	0	45,000	45,000	45,000	0
125	La Raza Information Center, Inc.	21,500	0	12,000	12,000	12,000	0
	Magic Years Infant and Child Care Programs	52,120	0	0	0	0	0
125	Mission Economic & Cultural Association	60,000	38,000	25,000	(13,000)	25,000	0
	Mission Economic Development Association	20,000	0	0	0	0	0
	Mission Language & Vocational School	47,828	0	0	0	0	0
	Mission Language & Vocational School	55,470	0	0	0	0	0
	OBECA/Arriba Juntos	80,000	0	0	0	0	0
	Options for Women Over Forty	59,381	0	0	0	0	0
126	Refugee Transitions	17,000	18,000	17,000	(1,000)	17,000	0

REVISED

Public Library, Documents Dept.

ATTN: Gerry Roth

San Francisco, Board of Supervisors.  
Economic and Social Policy Committee  
Budget Analyst Recommendations.

\* The Budget Analyst makes no recommendations for funding new programs or increases in existing programs.

\*\* If the Board of Supervisors approves this project, then the Budget Analyst recommends that \$63,465 be reserved (see page 120).

## SUMMARY OF REQUESTS AND RECOMMENDATIONS

Page No.	Program or Recipient	1992 Agency Request	1991 Budget	1992 MOCD Proposed Budget	Increase (Decrease) Over 1991 Funding	Budget Analyst Recommendations Amount to be Funded	Amount to be Reduced
93	Haight Ashbury Play Program for Youth (HAPPY)	25,000	20,000	25,000	5,000	20,000 *	
93	Hartford Street Zen Center/Castro Zendo Inc.	50,400	0	24,000	24,000		
94	Horizons Unlimited of San Francisco, Inc.	64,393	61,326	61,326	0	61,326	
95	Hunters Point Boys' Club	29,610	10,000	10,000	0	10,000	
95	Hunters Point Community Youth Park Foundation	180,908	172,144	172,144	0	169,984	2,160
	Infant-Parent Program Day Care Consultants	34,202	0	0	0	0	
96	Ingleside Community Center, Inc.	112,600	65,000	65,000	0	59,063	5,937
96	Instituto Laboral De La Raza	67,500	25,000	48,440	23,440	25,000 *	
97	Japanese Cultural & Community Center of Northern California	50,600	0	20,000	20,000		
98	Korean Center, Inc.	72,052	42,240	58,000	15,760	42,240 *	
99	Korean-American Development Corporation	40,000	0	25,000	25,000		
99	La Casa De Las Madres	60,000	42,432	52,000	9,568	42,432 *	
100	La Raza Centro Legal, Inc.	76,622	66,280	66,280	0	66,280	
100	Lyon-Martin Women's Health Services	77,465	77,465	77,465	0	77,465	
	M&M Youth Boxing Club, Inc.	60,000	0	0	0	0	
101	Mayor's Office of Children, Youth and Their Families	45,000	45,000	45,000	0	45,000	
101	Men Overcoming Violence (MOVE)	39,202	17,940	21,528	3,588	17,940	
102	Mission Community Legal Defense, Inc.	231,933	231,933	231,933	0	231,933	
102	Mission Education Projects, Incorporated	300,622	218,509	218,509	0	218,509	
103	Mission Hiring Hall, Inc./South Market Employment Center	118,738	118,738	118,738	0	118,738	
103	Mission Language and Vocational School, Inc.	272,730	214,109	214,109	0	214,109	
104	Mission Neighborhood Centers, Inc./Precita Street	74,500	40,000	40,000	0	40,000	
104	Mission Reading Clinic	107,000	106,575	106,575	0	106,575	
105	Mutual Assistance Association Council, Inc.	40,580	28,340	28,340	0	28,340	
105	Nihonmachi Legal Outreach	53,600	0	22,800	22,800		
106	Northern California Service League	60,000	50,000	50,000	0	50,000	
	Northridge Cooperative Homes	146,192	0	0	0	0	
106	OMI - Pilgrim Community Center	90,000	30,000	30,000	0	30,000	
107	Ocean View, Merced, Ingleside Comm. Assn. (OMICA)	98,520	35,000	35,000	0	35,000	
107	Operation Concern/California Pacific Community Services	96,926	55,000	55,000	0	55,000	
	Operation Contact, Inc.	23,870	0	0	0	0	
108	Potrero Hill Community Development Corporation	32,219	30,000	32,000	2,000	30,000	
108	Potrero Hill Neighborhood House Child Development Center	25,000	15,000	20,000	5,000	15,000	
109	Project Excel II - CRDC	67,842	0	40,000	40,000		
	Rehabilitation Services of Northern California/SF Voc. Services	33,945	0	0	0	0	
109	Samoa mo Samoa, Inc.	64,220	35,000	35,000	0	35,000	
	San Francisco Beautiful	85,710	0	0	0	0	
110	San Francisco Educational Services	104,849	50,000	50,000	0	50,000	
110	San Francisco Food Bank	12,500	12,500	22,500	10,000	12,500	
	San Francisco Neighborhood Legal Assistance Foundation	75,531	0	0	0	0	
111	San Francisco Women Lawyers Alliance Foundation	13,000	0	10,000	10,000		

\* The Budget Analyst makes no recommendations for funding new programs or increases in existing programs.

SUMMARY OF REQUESTS AND RECOMMENDATIONS

REVISED

Page NO.	Program or Recipient	1992 Agency Request	1991 Budget	1992 MOCD Proposed Budget	Increase (Decrease) Over 1991 Funding	Budget Analyst Recommendations	
						Amount to be Funded	Amount to be Reduced
154	Mayor's Office of Children, Youth & Their Families	27,238	0	0	0	0	
155	Mission Housing Development Corporation	70,550	20,000	20,000	0	0	
155	South of Market (SOMA) Problem Solving Council	32,875	0	24,000	24,000	0	14,000
155	Technical Assistance for Nonprofits	25,000	25,000	25,000	0	11,000	0
156	Urban Economic Development Corporation	25,000	0	12,000	12,000	0	0
	Subtotal: Planning & Capacity Building	\$336,651	\$45,000	\$121,000	\$76,000	\$31,000	\$14,000
157	XV. Homeless Assistance Program Pool	\$500,000	\$500,000	\$500,000	\$0	0	0
159	XVI. Disability Access Upgrade Program Pool	\$500,000	\$400,000	\$500,000	\$100,000	\$500,000	0
162	XVII. Contingency	\$0	\$59,358	\$120,379	\$61,021	\$120,379	0
	Total - CDBG Program	\$43,621,793	\$17,510,923	\$20,093,535	\$2,582,612	\$18,122,897	\$218,435
164	XVIII. Program Income						
165	San Francisco Redevelopment Agency	240,000	500,000	240,000	(260,000)	500,000	0
	South of Market Public Space Improvements	16,600,000	0	16,600,000	16,600,000	0	0
	Yerba Buena Center Gardens	200,000	220,000	200,000	(20,000)	220,000	0
	PS - Hunters Point Hiring Hall (Young Community Developers)	220,000	220,000	220,000	0	220,000	0
	PS - SOMA Hiring Hall (Mission Hiring Hall)	150,000	0	150,000	150,000	0	0
	ED - SOMA (Mission Economic Development Corporation)	210,000	210,000	210,000	0	210,000	0
	ED - IB/WAY/South Bayshore (Urban Economic Devel Corp)	100,000	0	100,000	100,000	0	0
	Hunters Point Business Assistance Program	2,398,000	0	2,398,000	2,398,000	0	0
	Chinatown Business Assistance Program	2,000,000	0	2,000,000	2,000,000	0	0
	Planning - Land-Use Studies - HP Shipyard	100,000	0	100,000	100,000	0	0
	Planning - 3rd Street Corridor	250,000	0	250,000	250,000	0	0
	Project Planning & Housing Site Improvement	270,000	0	270,000	270,000	0	0
	Central Relocation Services	340,000	343,000	340,000	(3,000)	343,000	0
	Administration	895,000	1,013,000	895,000	(118,000)	\$1,013,000	0
	Total - Program Income	\$23,973,000	\$2,506,000	\$23,973,000	\$21,585,000	\$2,506,000	\$0
	Total - CDBG Program & Program Income	\$67,594,793	\$20,016,923	\$44,066,535	\$24,167,612	\$20,628,897	\$218,435

\* The Budget Analyst makes no recommendations for funding new programs or increases in existing programs.

\*\* The Budget Analyst recommends that \$500,000 be reserved (see page 158).

\*\*\* The Budget Analyst recommends that \$500,000 be reserved (see page 161).



**SUMMARY OF REQUESTS AND RECOMMENDATIONS**

Page NO.	Program or Recipient	1992 Agency Request	1991 Budget	1992 MOCD Proposed Budget	Increase (Decrease) Over 1991 Funding	Budget Analyst Recommendations Amount to be Funded be Reduced
126	San Francisco Performing Arts Library	20,000	0	0	0	0
126	Self-Help for the Elderly	25,000	30,000	20,000	(10,000)	20,000
127	Shanti Project	65,000	0	35,000	35,000	-*
127	Vietnamese Fishermen Association of America	65,000	0	20,000	20,000	-*
127	Walden House, Inc.	62,688	0	0	0	0
127	YMCA of San Francisco (Central Branch)	40,000	0	20,000	20,000	-*
127	Youth Guidance Center Improvement Committee	55,685	0	45,000	45,000	-*
	<b>Subtotal: Non-Profit Corporation Business Projects</b>	<b>\$992,888</b>	<b>\$158,000</b>	<b>\$263,000</b>	<b>\$111,000</b>	<b>\$77,000</b>
						<b>\$0</b>
129	<b>XI. Self Employment and Enterprise Development</b>					
\$131	Center for Southeast Asian Refugee Resettlement	\$107,315	\$86,000	\$94,000	\$8,000	\$86,000 *
131	Community Outreach & Pre-Enterprise Services	99,433	70,000	75,000	5,000	75,000
	Safety-Med Sales Company	40,000	0	0	0	0
132	San Francisco Renaissance	100,000	88,500	88,500	0	88,500
132	San Francisco Renaissance Micro Business Incubator (MBI) Prog.	35,000	27,000	35,000	8,000	27,000 *
133	SEED Program Loan Fund	50,000	0	50,000	50,000	0
133	Women's Initiative for Self Employment	87,000	47,000	60,000	13,000	60,000
134	Wu Yee Children's Services	71,073	48,618	49,000	382	49,000
	<b>Subtotal Self: Employment Initiatives</b>	<b>\$589,821</b>	<b>\$367,118</b>	<b>\$451,500</b>	<b>\$84,382</b>	<b>\$385,500</b>
						<b>\$50,000</b>
135	<b>XII. Family Day Care Home Rehabilitation Program</b>	<b>\$220,621</b>	<b>\$132,450</b>	<b>\$220,621</b>	<b>\$88,171</b>	<b>\$157,224</b>
						<b>\$63,397</b>
138	<b>XIII. Program Administration</b>					
139	City Attorney	\$45,483	\$26,300	\$38,000	\$11,700	\$14,740
140	Disability Program Unit	100,131	83,610	89,764	6,154	87,385
141	Human Rights Commission (HRC)	174,755	122,447	139,447	17,000	128,350
142	Indirect Costs and CDBG Share of Single Audit	100,000	79,000	100,000	21,000	100,000
143	Mayor's Office of Housing & Community Development (MOHCD)	2,212,631	1,953,471	2,167,919	214,448	2,156,689
149	San Francisco Department of City Planning (DCP)	27,756	25,000	26,000	1,000	20,000
150	Subgrantee Audits	100,000	75,000	100,000	25,000	100,000 **
	<b>Subtotal: Program Administration</b>	<b>\$2,760,756</b>	<b>\$2,364,828</b>	<b>\$2,661,130</b>	<b>\$296,302</b>	<b>\$2,607,164</b>
						<b>\$53,966</b>
151	<b>XIV. Planning &amp; Capacity Building</b>					
	American Indian AIDS Institute	\$36,000	\$0	\$0	\$0	\$0
153	Community Board Program	13,780	0	13,000	13,000	-*
153	Community Educational Services	23,000	0	15,000	15,000	-*
154	Community Outreach & Pre-Enterprise Services	18,980	0	12,000	12,000	-*
	Independent Living Resource Center	54,228	0	0	0	20,000
	Inner Sunset Merchants Association	10,000	0	0	0	0

\* The Budget Analyst makes no recommendations for funding new programs or increases in existing programs.

\*\* The Budget Analyst recommends that \$100,000 be reserved (see page 150).

## REVISED

### Potrero Hill Neighborhood House - \$30,000

The recommended funding would provide for the following:

Convert double stall to single handicap stall	\$27,000
Architectural/engineering services (11.1%)	<u>3,000</u>
Total	\$30,000

#### Recommendation

Approve the CDBG funding as recommended by MOHCD.

### Russian-American Community Services - \$40,000

The recommended funding would provide for the following:

Expand kitchen with basement storage & access stair	\$36,000
Architectural/engineering services (11.1%)	<u>4,000</u>
Total	\$40,000

#### Recommendation

Approve the CDBG funding as recommended by MOHCD.

### San Francisco Health Department/Tom Waddell Clinic - \$75,000

The recommended funding would provide for the following:

Create 5 new exam rooms (\$15,000 per exam room)	\$75,000
Total	<u>\$75,000</u>

#### Recommendation

Approve the CDBG funding as recommended by MOHCD.



### Samoa Mo Samoa, Inc. - \$10,000

The recommended funding would provide for the following:

Replace roof	<u>\$10,000</u>
Total	<u>\$10,000</u>

#### Recommendation

Approve the CDBG funding as recommended by MOHCD.

### San Francisco Boys and Girls Club - \$50,000

The recommended funding would provide for the following:

Relocate existing wall, install handicapped sinks, toilets, urinals & stalls, soap & towel dispensers, and mirror	\$31,000
Construct ramp to shower, relocate walls and plumbing, install new tile, shower fixtures and non breakable glass windows	15,000
Architectural/engineering services (8.7%)	<u>4,000</u>
Total	<u>\$50,000</u>

#### Recommendation

Approve the CDBG funding as recommended by MOHCD.

### San Francisco Medical Center Outpatient Program - \$35,000

The recommended funding would provide for the following:

Remove wall etc. - make emergency room guerney accessible	\$2,000
Construct private nursing triage room (confidential space)	13,000
Expand patient eligibility interview space	6,500
Remodel for children's waiting area	10,000
Architectural/engineering services (11.1%)	<u>3,500</u>
Total	<u>\$35,000</u>

#### Recommendation

Approve the CDBG funding as recommended by MOHCD.

## REVISED

### Table IV: List of Non-Profit Corporations Which Have Filed an Annual Economic Statement with the Clerk of the Board of Supervisors

Article 1, Section 10.1, of the San Francisco Administrative Code stipulates that every non-profit organization receiving funding through the City and County to provide direct services to the public must file with the Clerk of the Board of Supervisors an annual economic statement on or before April 1 of each year.

Such statements must be on file with the Board of Supervisors before final action may be taken on the pending resolution (File 79-91-2) to approve the 1992 Community Development Program. As of November 25, 1991, annual economic statements have been filed with the Clerk of the Board of Supervisors as follows:

Bayview Hunters Point Foundation (Community Defender)  
Bernal Heights Housing Corporation  
Careers Abound, Inc.  
Chinese Newcomers Service Center  
Coalition for Immigrant and Refugee Rights and Services  
Columbia Park Boys Club  
Community Housing Partnership  
Florence Crittenton Services  
Independent Housing Services  
Independent Living Resource Center of San Francisco  
Japanese Cultural and Community Center of Northern California  
La Raza Information Center, Inc.  
Lyon-Martin Women's Health Services  
Men Overcoming Violence (MOVE)  
Mission Economic Development Association  
San Francisco Boys and Girls Club  
San Francisco Educational Services  
San Francisco Friends of the Urban Forest  
San Francisco Medical Center Outpatient Program  
San Francisco Women's Centers Inc.  
Telegraph Hill Neighborhood Association  
Urban Indian Health Board, Inc.  
Wu Yee Children's Services  
Youth Guidance Center Improvement Committee



SF  
S90.22  
#3  
11/20/91

CALENDAR ACTION TAKEN

DOCUMENTS DEPT.

NOV 25 1991

RESCHEDULED MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

PUBLIC LIBRARY

WEDNESDAY, NOVEMBER 20, 1991 - 2:00 P.M.

ROOM 228, CITY HALL

MEMBERS: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

ABSENT: SUPERVISOR ALIOTO - ITEMS 8 & 9

CLERK: KAY GULBENGAY

CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Economic and Social Policy Committee, and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or a member of the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item:
  - (a) File 18-91-14. Consideration of installation of Stop Signs certain intersections. (Department of Parking and Traffic)  
Stop Signs - Establish  
The Embarcadero and Beach Street, all corners, (makes this an all-way Stop).  
  
The Embarcadero and North Point Street, all corners, (makes this all-way Stop).  
  
North Point Street and Stockton Street, northeast and southwest corners, stopping North Point Street (makes this an all-way Stop).  
  
(b) File 20-91-20. Consideration of establishing and rescinding of traffic regulations, various streets. (Department of Parking and Traffic)  
Right Turn Only - Establish  
York Street, northbound, at Army Street/Precita Avenue.  
  
No U-Turn - Establish  
Lincoln Way, Westbound, at 7th Avenue  
  
One Way Street - Rescind  
Powell Street from Beach Street to Bay Street, One-Way northbound.



- (c) File 40-91-4.1. [Parking of Vehicles] Resolution extending the boundaries of Residential Permit Parking Area "V" in the Balboa Park area and adding Oneida Avenue, beginning at a point 199 feet east of the property line of San Jose Avenue to the west property line of Otesgo Avenue, south side to the list of streets upon which time limitations shall apply.
- (d) File 40-91-7. [Parking of Vehicles] Resolution extending the boundaries of Residential Permit Area "J" in the Parnassus Heights area; and adding Grattan Street between Cole and Shrader Streets, both sides to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)
- (e) File 40-91-8. [Parking of Vehicles] Resolution extending the boundaries of Residential Permit Parking Area "G" in the Pacific Heights area; and adding Sutter Street, between Octavia and Laguna Streets, south side to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic)
- (f) File 40-91-9. [Parking of Vehicles] Resolution extending the boundaries of Residential Permit Parking Area "I" in the Bartlett Street area; and adding Capp Street between 23rd and 24th Streets, both sides to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic).
- (g) File 40-91-10. [Parking of Vehicles] Resolution extending the boundaries of Residential Permit Parking Area "O" in the West Portal/St. Francis Wood area; and adding 18th Avenue, between Taraval and Santiago Streets, both sides to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic).
- (h) File 40-91-11. [Parking of Vehicles] Resolution extending the boundaries of Residential Permit Parking Area "D" in the Glen Park Area; and adding Edna Street, between Marston Avenue and Havelock Street, both sides to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic).
- (i) File 40-91-12. [Parking of Vehicles] Resolution extending the boundaries of Residential Permit Parking Area "U" in the South of Market Area; and adding Clementina Street, between 9th and the east terminus of Clementina Street located east of Sumner Street, south side; Folsom Street, between 9th and 7th Streets, north side; Langton Street, between Howard and Folsom Streets, west side; Minna Street, between 9th and 7th Streets, north side; Natoma Street, between 9th and 7th Streets, south side; Rausch Street, between Howard and Folsom Streets, both sides; Tehama Street, between 9th and 8th Streets, north side, to the list of streets upon which time limitations shall apply. (Department of Parking and Traffic).

ACTION: Consent calendar recommended.





- (a) File 18-91-14. Hearing held. DPT recommendations recommended. Resolution prepared in and reported out of committee.  
Entitled: "Designating certain intersections as "Stop" intersections."
- (b) File 20-91-20. Hearing held. DPT recommendations recommended. Resolution prepared in and reported out of committee.  
Entitled: "Enacting and rescinding traffic regulations on various streets."
- (c) File 40-91-4.1. Recommended.
- (d) File 40-91-7. Recommended.
- (e) File 40-91-8. Recommended.
- (f) File 40-91-9. Recommended.
- (g) File 40-91-10. Recommended.
- (h) File 40-91-11. Recommended.
- (i) File 40-91-12. Recommended.

#### REGULAR CALENDAR

- 2. File 124-91-8. [Parking Control] Ordinance amending Traffic Code by amending Section 32.6.7 to include the portion of 24th Avenue specified in former Section 32.6.9 plus portions of Jones Street and McAllister Street and to repeal Section 32.6.9. (Department Parking and Traffic)

ACTION: Hearing held. Recommended.

- 3. File 47-91-15. [Reinstatement of Parking Rates] Resolution reinstating special Sunday parking rates at the Sutter-Stockton Parking Garage. (Supervisor Gonzalez)  
FISCAL IMPACT

ACTION: Hearing held. Amended on page 1 line 3 (title) after "garage" by adding "requiring report from the Department of Parking and Traffic by June 1, 1992, analyzing the impact of this legislation" and further amended on line 26 by adding "FURTHER RESOLVED, That the Board of Supervisors requests that the Department of Parking and Traffic submit a written report to the Board of Supervisors by June 1, 1992, analyzing the fiscal impact this reinstatement of Sunday parking rates will have had on City revenues and on the use of the Sutter-Stockton Parking Garage on Sundays."

Entitled: "Reinstating special Sunday parking rates at the Sutter-Stockton Parking Garage; requiring report from the Department of Parking and Traffic by June 1, 1992, analyzing the fiscal impact of this legislation." Recommended as amended. Transferred to Finance Committee with request that item be heard at the November 27, 1991 Finance meeting.



4. File 111-91-2. [Interim Controls] Resolution imposing Interim Controls to prohibit for a period of 12 months the approval of permits establishing new adult entertainment enterprises in Northern Waterfront Special Use District No. 2. (Supervisors Shelley and Alioto)

(General Rule Exclusion from Environmental Impact Review.)

ACTION: Hearing held. Recommended.

5. File 111-91-2.1. [Interim Controls] Resolution order directing the Zoning Administrator, the Superintendent of the Bureau of Building Inspection, the Board of Permit Appeals, and other permit-issuing and permit-approving agencies to suspend action on permit applications authorizing the establishment of new adult entertainment enterprises in Northern Waterfront Special Use District No. 2 pending final action on Interim Zoning Controls. (Supervisors Shelley and Alioto)

ACTION: Hearing held. Recommended.

6. File 244-91-1. Hearing to consider feasibility of placing public toilets throughout the Tenderloin and the Mission District. (Supervisor Kennedy)

ACTION: Hearing held. Resolution prepared in and reported out of committee.

Entitled: "Urging the Mayor to urge the Chief Administrative Officer, the Department of Public Works and the Recreation and Park Commission to investigate the placing of public toilets in the Tenderloin and Mission districts of the City, and urging that in other areas of the City public toilets that now exist be made available for use by the public."  
Recommended.

#### SPECIAL ORDER - 3:30 P.M.

7. File 247-91-1.1. [Black Male Awareness Program] Resolution amending the resolution which urged the Mayor to support an established Black Male Awareness Program, by further providing that the final outcome of the program is to establish an all Black male school. (Supervisor Kennedy)

ACTION: Hearing held. Continued to December 17, 1991 meeting.

8. File 171-91-17. [Central Freeway] Resolution urging Caltrans to tear down immediately both decks of the Central Freeway north of Fell Street; urging the Mayor to urge the appropriate City Departments and Caltrans to schedule dates for public meetings; urging Caltrans to negotiate on the disposition of available land; holding public hearings. (Supervisors Maher, Alioto)

ACTION: Tabled.

9. File 272-91-5.1. [Embarcadero Roadway Traffic Improvements] Resolution declaring it the policy of the City and County to restore traffic flow in the northern waterfront; supporting immediate repaving of the Embarcadero Roadway; urging the Mayor to urge the Department of Public Works to develop an Embarcadero Plan with four lanes of traffic in either direction south of Broadway. (Supervisor Maher)

FISCAL IMPACT

ACTION: Tabled.



ADDENDUM CALENDAR

10. File 12-91-46. [Redistricting] Resolution placing the City and County of San Francisco on record in support of the Reapportionment Plan approved by the Legislature for State Senate Districts 3 and 8 in the City and County of San Francisco. (Supervisors Shelley, Maher)

ACTION: Hearing held. Amendment of the whole (as presented in committee) adopted. Amended on page 3 line 4 after "Congressional" by adding "and Senate districts" and by deleting "Assembly districts."

Entitled: "Placing the City and County of San Francisco on record in support of the reapportionment plan approved by the State Legislature, which includes two State Senate Districts and two Congressional Districts in the City and County of San Francisco."  
Recommended as amended.





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NOTICE OF CANCELLED MEETING  
ECONOMIC & SOCIAL POLICY COMMITTEE

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NOTICE IS HEREBY GIVEN that the regularly scheduled meeting  
of the Economic & Social Policy Committee for Tuesday,  
November 26, 1991 at 2:00 p.m., has been cancelled.

A handwritten signature in cursive script, appearing to read "John L. Taylor".  
John L. Taylor  
Clerk of the Board

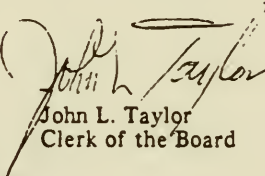
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
ROOM 235, CITY HALL  
SAN FRANCISCO, CALIFORNIA 94102

IMPORTANT  
HEARING NOTICE



NOTICE OF RESCHEDULED MEETING  
ECONOMIC & SOCIAL POLICY COMMITTEE

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Economic & Social Policy Committee for Tuesday, November 12, 1991, at 2:00 p.m., has been rescheduled to Wednesday, November 20, 1991, at 2:00 p.m., in Legislative Chambers, 2nd Floor, City Hall.

  
John L. Taylor  
Clerk of the Board

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SPECIAL MEETING OF  
ECONOMIC & SOCIAL POLICY COM  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

MONDAY, DECEMBER 9, 1991 - 10:30 A.M.

ROOM 228, CITY HALL

MEMBERS: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

CLERK: KAY GULBENGAY

1. File 171-91-20. [Peninsula Corridor] Resolution authorizing execution of a Real Property Ownership Agreement between the members of the Peninsula Corridor Joint Powers Board to provide for an orderly system of management, development and eventual disposition of the property and for appropriate rights and protections relative to SAMTRANS advance of funds for the purchase of the property.  
(Supervisor Hsieh)

ACTION:

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**BOARD OF SUPERVISORS**

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BUDGET ANALYST

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SAN FRANCISCO, CALIFORNIA 94102 • TELEPHONE (415) 554-7642

December 5, 1991

**TO:** Economic and Social Policy Committee

**FROM:** Budget Analyst - Recommendation 202

**SUBJECT:** December 9, 1991 Special Economic and Social Policy Committee Meeting

Item 1 - File 171-91-20

The proposed resolution (File 171-91-20) would authorize the execution of a real property ownership agreement between the members of the peninsula corridor Joint Powers Board to provide for an orderly system of management, development and eventual disposition of the property and for appropriate rights and protections relative to SamTrans advance of funds for the purchase of the property.

On December 20, 1990, the Joint Powers Board (JPB), which is comprised of members from the City and County of San Francisco, the San Mateo County Transit District (SamTrans) and the Santa Clara County Transit District, executed a Letter of Intent with the Southern Pacific Transportation Company for the purchase by the JPB of the Peninsula Commute Right-of-Way from Southern Pacific Transportation Company, comprised of an approximately 52-mile corridor between 4th and Townsend Streets in San Francisco and Lick Junction in San Jose.

Currently, Southern Pacific Transportation Company operates the peninsula commute service (CalTrain), with Caltrans being responsible for management and daily operation of the service. Approximately 40 percent of the operating costs are recovered through fares leaving a 60 percent deficit. The annual Federal subsidy is subtracted from the 60 percent deficit. Half of the balance after subtracting the Federal subsidy is borne by Caltrans and the other half by the Counties of San Francisco, San Mateo and Santa Clara based on their respective riderships. San Francisco's share is 10.2 percent, San Mateo's share is 51.0 percent and Santa Clara's share is 38.8 percent. San



Francisco's share of operating costs for FY 1990-91 was approximately \$796,215, and San Francisco's estimated share of operating costs for FY 1991-92 is approximately \$893,316.

The proposed right-of-way purchase is estimated at \$220 million. Once the right-of-way transfer is complete, management and daily operations of the service for the peninsula commute service would shift from Caltrans to the JPB. The JPB would pay the Southern Pacific Transportation Company \$124 million of the right-of-way purchase with Proposition 116 funds (State bond issuance for transportation-related projects), already approved by the California Transportation Commission (CTC). SamTrans has agreed to advance the \$96 million balance (\$220 million less \$124 million from Proposition 116 funds) of the purchase price, with an intent to receive reimbursement through Federal and State funds. If Federal and State funds are not available, the remaining \$96 million of the purchase price would be split among the three counties, based upon the percentage of linear miles of the main line right-of-way located in each county. The respective percentages are San Francisco - 10.1 percent, or approximately \$10 million, San Mateo - 47.7 percent or approximately \$46 million and Santa Clara - 42.2 percent or approximately \$40 million.

On July 29, 1991, the Board of Supervisors approved a resolution (File 171-91-9) which indicated San Francisco's intent to transfer certain PUC-owned land in San Mateo County towards San Francisco's approximate \$10 million share of the right-of-way purchase price. On September 11, 1991 the Board of Supervisors authorized the execution of an amended Joint Powers Agreement (File 172-91-16) which designated SamTrans with daily responsibility for management of the system. This amended agreement (File 172-91-16) also established that once the purchase agreement is completed, a new competitive operating agreement would be entered into which would shift the operation of the service from Caltrans to the JPB. This competitive agreement would mean that the JPB would put the operator contract out to bid. On October 31, 1991, the Board of Supervisors also approved a resolution (File 171-91-19) which made the Southern Pacific right-of-way agreement subject to conditions which included a provision that the California Transportation Commission (CTC) approve the allocation of \$124 million in Proposition 116 funds. The proposed resolution (File 171-91-20) would authorize the execution of a real property ownership agreement between the JPB, would provide SamTrans with the option to take title of the right-of-way located in San Francisco or Santa Clara counties if these counties do not provide their share of the right-of-way purchase price, and would recognize, but not require that San Francisco intends to contribute land located in San Mateo County as its approximate \$10 million share towards the purchase of the right-of-way.

The land to be contributed by San Francisco is owned by the San Francisco Public Utilities Commission's (PUC) Water Department. The land, which would be San Francisco's \$10 million share of the purchase price consists of certain Water Department rights-of-way in San Mateo County. Ms. Michelle Witt of the PUC reports that these lands were initially acquired as

watershed land by the Water Department over eighty years ago, and are currently considered by the Water Department as surplus land, meaning that the Water Department does not need this land for San Francisco's water system. Mr. Dick Tanaka of the PUC reports that a portion of the land is former MUNI right-of-way tracks which is currently managed by the Water Department. Ms. Witt also reports that currently the City does not use this land. Ms. Witt indicates that the fair market value of the land is currently being assessed. Ms. Brigid Hynes-Cherin, Director of the San Francisco County Transportation Authority reports that although the value of the land is not yet known, based upon the \$220 million value of the right-of-way, it is likely that the value of the Water Department-owned land would exceed \$10 million. If the value of the land exceeds \$10 million, San Francisco would have the option to either receive the difference in cash, or use the funds for San Francisco's share of operating costs in future fiscal years. In addition, the real property ownership agreement, which the proposed resolution (File 171-91-20) would adopt, states that "It is understood and agreed by all the parties hereto that neither the City and County of San Francisco nor Santa Clara County Transportation District have any legal obligation to contribute toward the advance." The real property ownership agreement, which the proposed resolution (File 171-91-20) would adopt, also anticipates that the land transfer would be completed under a separate contract which would be subject to future approval by the Board of Supervisors. Ms. Hynes-Cherin also reports that San Mateo County wants to use the land to extend Bay Area Rapid Transit (BART) lines to the San Francisco Airport.

As noted above, the San Francisco's share of operating costs for FY 1991-92 is estimated at approximately \$893,316. These funds are included in MUNI's FY 1991-92 budget, of which approximately 42.5 percent, or approximately \$379,659 is funded through the General Fund. Also as noted above, \$124 million of the right-of-way purchase price would come from Proposition 116 funds. As a condition of the \$124 million allocation of Proposition 116 funds, the CTC stipulates that the JPB must show an increased commitment of operating the trains from 54 trains per weekday to 66 trains per weekday. Mr. Howard Goode of SamTrans reports that a level of 66 trains per weekday would not be able to become fully operational until FY 1994-95. The following estimates of operating costs have been determined for San Francisco based upon SamTrans' projections of peninsula corridor operating costs:

	<u>Number of Trains</u>	<u>Annual Projected Cost to City*</u>
<u>FY 1991-92</u>	54	\$ 893,316
<u>FY 1992-93</u>	60	1,109,729
<u>FY 1993-94</u>	60	2,274,620
<u>FY 1994-95</u>	66	2,498,429
<u>FY 1995-96</u>	66	2,622,542
<u>FY 1996-97</u>	66	2,752,368

\*As previously noted, approximately 42.5 percent of these annual operating costs would be funded through the General Fund, as included in MUNI's budget.

The above-listed projections show that San Francisco's share of operating costs more than doubles after FY 1992-93, even though the number of trains would remain at 60. This increase would occur because the State will no longer subsidize operating costs by 50 percent after FY 1992-93. The amended Joint Powers Agreement, which the Board has already approved (File 172-91-16), requires that these operating costs be subject to Board of Supervisors' approval on an annual basis. The real property ownership agreement, which the proposed resolution (File 171-91-20) would adopt, also indicates that San Francisco could cease operations at the end of any fiscal year provided that a one year's notice is given to the JPB.

Mr. Goode indicates that the above-listed operating costs to San Francisco assume an annual Federal subsidy of \$1.2 million for the five-year period. Mr. Goode indicates that it is reasonable to assume that Federal subsidies would not increase funding from the \$1.2 million level for the upcoming fiscal years because the Federal government has not been willing to provide additional funds to subsidize operating costs in recent fiscal years. The Federal subsidy for FY 1991-92 is \$1.2 million. In addition, Mr. Goode indicates that these anticipated operating costs for San Francisco are net of any additional revenues which would be received at a level of 66 trains per weekday.

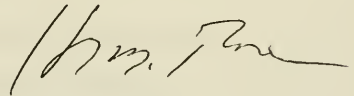
The above-listed operating cost estimates assume that the Southern Pacific Transportation Company would continue as the operator. As previously reported in the Budget Analyst's report to the Board of Supervisors for the resolution (File 171-91-2) which supported an increase in CalTrain services, Mr. Alan Hirsch of the CalTrain Citizen Advisory Committee reported that the major reason for the purchase of the Southern Pacific right-of-way is to eliminate the Southern Pacific Transportation Company as the peninsula corridor operator. According to Mr. Hirsch, due to Southern

Memo to Economic and Social Policy Committee  
December 9, 1991 Special Economic and Social Policy Committee

Pacific's inefficient operating procedures, the cost of operating CalTrain is much higher than necessary. The JPB hopes to increase efficiency with a new operator through such methods as automated ticketing and increased workforce productivity. Ms. Hynes-Cherin reports that currently two other firms have submitted proposals to operate CalTrain, but a new operator has not yet been selected by the JPB. Mr. Goode indicates that the two firms which have submitted proposals are Amtrak and A.T.E. Management and Service Company. Mr. Goode reports that a new operator would be selected by July 1, 1992.

**Recommendation**

Approval of the proposed resolution is a policy matter for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board  
Chief Administrative Officer  
Controller  
Sam Yockey  
Ted Lakey





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NOTICE OF RESCHEDULED MEETING  
ECONOMIC & SOCIAL POLICY COMMITTEE

NOV 2 1991

RECEIVED

NOTICE IS HEREBY GIVEN that the regularly scheduled meeting of the Economic & Social Policy Committee for Tuesday, December 10, 1991, at 2:00 p.m., has been rescheduled to Tuesday, December 17, 1991, at 2:00 p.m., in Room 228, City Hall.

A handwritten signature in cursive script, appearing to read "John L. Taylor".  
John L. Taylor  
Clerk of the Board

POSTED: NOVEMBER 26, 1991



ECONOMIC & SOCIAL POLICY COMMITTEE  
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OF SAN FRANCISCO

## BOARD OF SUPERVISORS

BUDGET ANALYST

1390 MARKET STREET, SUITE 1025

SAN FRANCISCO, CALIFORNIA 94102 • TELEPHONE (415) 554-7642

December 13, 1991

TO: Economic and Social Policy Committee

FROM: Budget Analyst - *Recommendations*

SUBJECT: December 17, 1991 Rescheduled Economic and Social Policy Committee Meeting

Item 2 - File 107-90-2

Note: This item was continued from the Economic and Social Policy Committee Meeting of September 24, 1991.

The Budget Analyst has prepared and transmitted a report, dated September 18, 1991, on the cost effectiveness of the "Front-end" early fraud detection (FRED) Program. For specific details, refer to the September 18, 1991 Budget Analyst report on the cost effectiveness of the FRED Program.

Department: Department of Social Services (DSS)

Item: Hearing on the Department of Social Services' "Front-end" Early Fraud Detection (FRED) Program.

Description: In March of 1990, DSS began operating a "Front-end" early fraud detection program, known as FRED, for the Aid to Families with Dependent Children (AFDC), Food Stamps, and General Assistance Programs. According to DSS, San Francisco is the 24th county in California to develop a FRED Program. The objectives of the FRED Program are to:

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- 1) Prevent ineligible persons from receiving aid for which they have applied;
- 2) Reduce the number of referrals for prosecution of welfare fraud;
- 3) Attempt to find, for ineligible persons, alternative sources of aid for which they are eligible.

The FRED Program attempts to verify information given in client applications, which are used to determine the eligibility of the client. FRED investigators do not review all applications; rather, eligibility workers for the AFDC, Food Stamps, and General Assistance Programs refer selected applications to the FRED Program for verification. DSS investigators for the FRED Program verify application information through home visits, client interviews, authorized third party contacts, and other resources. After the investigator verifies the application information, the investigator recommends that the client either receive aid, be denied aid, or be referred to another aid program for which the client may be eligible.

The FRED Program is staffed with one Supervisor, eight Eligibility Workers, one Social Worker, and one Clerk.

For the period July 1, 1990 through June 30, 1991, the FRED Program has handled an estimated 1,994 case referrals. Of the total of 1,994 referrals, FRED Program staff found 987 cases to be ineligible and recommended that aid be denied or discontinued for these 987 cases.

**Comments:**

1. The Budget Analyst, in the report on the cost effectiveness of the FRED Program, estimates that, for the period July 1, 1990 through June 30, 1991, the FRED Program, prior to DSS expenses, has saved a total of \$1,640,914 or about \$823 per referral of the total of 1,994 referrals. Taking into account the costs of the FRED Program, the net savings for FY 1990-91 is estimated to be \$1,189,085.
2. Of the total net savings of \$1,189,085 for FY 1990-91, approximately \$537,072 (45.2 percent) would accrue to the Federal Government; \$535,881 (45.0 percent) would accrue to the State; and \$116,132 (9.8 percent) would accrue to the County General Fund. The reason why most of the savings accrue to the Federal and State governments is because the AFDC and Food Stamps programs are 95 percent funded by the Federal and State governments. The City pays for the remaining five percent of the cost of these programs. Therefore, the Federal and State governments receive most of the savings benefit from the FRED Program.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

3. For FY 1991-92, the Budget Analyst projects that the FRED Program will yield a total net savings of \$1,684,385, of which approximately \$710,379 (42.2 percent) is savings to the Federal Government; \$673,219 (40 percent) is savings to the State; and \$300,787 (17.9 percent) is savings to the County General Fund.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**



Item 3 - File 247-91-1.1

**Note:** This item was continued by the Economic and Social Policy Committee at its meeting of November 20, 1991.

1. The proposed resolution would amend a resolution, previously approved by the Board of Supervisors which urged the Mayor to support an established Black Male Awareness Program, by further providing that the final outcome of the Program is to establish an all Black Male School.

2. The Board of Supervisors previously approved Resolution No. 874-91 which urged the Mayor to support an established Black Male Awareness Program. The proposed legislation would further provide that the final outcome of the Black Male Awareness Program is to establish an all Black Male School. The concept of the school is to (1) develop self-pride and esteem within the youth, (2) teach historical background of the African people, along with English, Math, Social Studies (Civics) and the pure sciences and (3) teach the day to day methodology for dealing with the governmental systems (i.e., City, State and Federal).

**Comments**

1. The Black Male Awareness Program is currently operated by the San Francisco Office of the Bay Area Urban League. The Bay Area Urban League is proposing that the Program be expanded to include an all Black Male School. Mr. George Mix, Director of the San Francisco Office of the Bay Area Urban League, reports that the School would accommodate approximately 150 students annually. Referrals to the School would come from San Francisco high schools and middle schools, as well as community agencies. Elementary schools would not be used as a referral source. Classes would be held after school and on weekends.

2. Mr. Mix projects that the annual cost to operate the School would be approximately \$300,000 to \$400,000 annually. According to Mr. Mix, the Bay Area Urban League plans to seek \$150,000 to \$200,000, of the \$300,000 to \$400,000 needed to annually support the School, from the City. The agency would solicit the remaining \$150,000 to \$200,000 from private foundations (i.e., Kaiser) and corporations. While the proposed legislation would not specifically commit the City to allocate funds for the School, the agency's plan to seek funding from the City to support the School, represents a potential fiscal impact on the City.

3. Mr. Mix advises that the Black Male Awareness Program will be temporarily housed at 3rd and Revere Streets (Old Wells Fargo Building) until such time as the agency can identify a permanent site for the Program.

4. As noted above, the agency plans to seek funding in the amount of \$150,000 to \$200,000 from the City. Therefore, the Budget Analyst has determined that the proposed legislation would have a potential fiscal impact on the City.



Memo to Economic and Social Policy Committee  
December 17, 1991 Rescheduled Economic and Social Policy Committee Meeting

5. The author of the proposed legislation has requested that this item be continued to the call of the Chair in order for the Bay Area Urban League to have additional time to permit the appropriate staff persons to be represented at the committee meeting.

**Recommendation**

Continue the proposed legislation to the call of the Chair as requested by the author of the legislation.

Item 4 - File 115-91-11

**Note:** This item was continued at the Economic and Social Policy Committee meeting of October 29, 1991.

The proposed ordinance would amend the Planning Code by amending Sections 209.2 and 216 thereof, to require all proposed tourist hotel and motel development projects to obtain a conditional use permit and amending Section 303 thereof, to require the Planning Commission, in determining whether to grant a conditional use permit for a tourist hotel or motel, to consider the impacts of the workforce of the proposed hotel or motel on the demand for housing, transit, employment, and childcare, and the market demand for the hotel or motel, excepting the impacts of the workforce on housing of certain projects within the jurisdiction of the San Francisco Port Commission and excepting residential hotels filing for conversion to tourist use prior to June 1, 1991.

According to a City Planning Commission resolution of July 18, 1991 which approved the requirement of conditional use permits for all new tourist hotels and motels, since 1981, there has been a proliferation of new tourist hotels and motels, both by construction and by conversion from other uses, with approximately 10,000 new rooms added, and approximately 3,000 new hotel jobs added, which represent 21 percent of the overall gain in jobs in San Francisco since 1986. However, according to a consultant's report completed for the Department of City Planning, 75 percent of all new residential units produced during the 1980s have not been affordable to many of the workers in hotel, retail and business and professional services where employment gains have been concentrated.

**Comments**

1. According to Mr. Robert Passmore of the Planning Department, most proposed hotel and motel projects currently are required to file a conditional use permit for other reasons. Mr. Passmore reports that given that existing Planning staff is usually required to complete a conditional use permit for most proposed hotel and motel projects, any costs associated with the proposed ordinance could be absorbed by existing Planning Department staff within the existing conditional use fees. The current average fee for a conditional use permit is \$500, depending upon the value of the proposed project. Therefore, the proposed ordinance would have no additional fiscal impact upon the City.

2. An Amendment to the Whole has been introduced which would exclude proposed residential hotels filing for conversion with the Department of City Planning prior to June 1, 1991, unless the applicant applies for a permit for new construction or alteration where the cost of such construction or alteration exceeds \$100,000. A new section of the proposed ordinance was also subsequently added which would adopt the Planning Commission's findings that the proposed ordinance is in conformity with the eight priority policies of Planning Code Section 101.1. The title of the proposed ordinance should also be amended to reflect this provision regarding findings pursuant to City Planning Code Section 101.1.

Memo to Economic and Social Policy Committee  
December 17, 1991 Rescheduled Economic and Social Policy Committee Meeting

3. On November 14, 1991, the Planning Commission approved a Planning Commission resolution which approved the Amendment of the Whole of the proposed ordinance and which adopted the findings as to the eight priority policies of Planning Code Section 101.1.

**Recommendation**

Amend the title of the proposed ordinance to adopt findings pursuant to City Planning Code Section 101.1.

Approval of the proposed ordinance is a policy matter for the Board of Supervisors.

Item 6 - File 78-91-2

This item is a hearing to consider amending the Catastrophic Illness Sick Leave Transfer requirements by deleting the criteria, "Such illness or injury prevents the employee from returning to work for at least 30 days."

Proposition H, approved by the San Francisco voters at the November 7, 1989 election, authorizes City employees to transfer their unused accumulated sick leave to another City employee: (1) who has been determined to be catastrophically ill; and (2) who has exhausted her or his vacation allowance, sick leave and compensatory time off.

Proposition H stated that the Health Commission, Civil Service Commission and Retirement Board shall conduct joint hearings to consider and develop recommendations for implementing the Proposition for submission to the Board of Supervisors. Proposition H required that the Board of Supervisors adopt ordinances to administer, interpret and regulate the transfer of sick leave and vacation credits to catastrophically ill employees.

The Board of Supervisors adopted a definition of "catastrophic illness" which determines who is eligible for the program. To be designated as catastrophically ill, an employee must meet all of the following criteria:

- (1) The employee has sustained a life-threatening illness or injury;
- (2) Such illness or injury prevents the employee from returning to work for at least 30 consecutive days; and
- (3) The employee has already exhausted all available paid sick leave, vacation, compensatory and in-lieu time.

The proposed revision would delete the second of the three criteria, which stipulates that the employee must be absent for at least 30 consecutive days to be deemed eligible for the program.

**Comments:**

1. According to Mr. Kieran Murphy of the Employees Retirement System, the requirement that employees be absent for 30 consecutive days may discourage certain individuals with long-term catastrophic illnesses, such as AIDS and cancer patients, from working part-time when they are able because if they disrupt the 30 consecutive days of absence, they lose temporarily eligibility for transfer benefits. Such patients could exhaust all available paid sick leave, vacation, compensatory and in-lieu time through shorter, repeated absences (such as week-long absences), or through regular treatment schedules (such as chemotherapy or aerosolized pentamidine), but still be able to work occasionally. By deleting the requirement that employees be absent for 30 consecutive days in

order to be eligible, these catastrophically ill employees would be able to work occasionally without losing their benefits.

2. Mr. Murphy anticipates that few employees who are currently ineligible would be made eligible for transfer benefits by deleting the 30 consecutive day requirement because catastrophically ill patients who might otherwise work occasionally can and do remain out of the office in order to retain their transfer benefits. For this reason, Mr. Murphy anticipates that the proposed revision would encourage catastrophically ill patients to work when possible, rather than actually increasing the number of eligible recipients. However, the proposed revision may have the effect of increasing services, since, currently, departments may not replace catastrophically ill employees receiving transfer benefits. If, as Mr. Murphy anticipates, few, if any, employees who are currently ineligible become eligible, the proposed revision would have little, if any, fiscal impact.

3. According to Mr. Murphy, a total of 105 employees have used transfer benefits since the program was implemented 18 months ago. As of November 5, 1991, 29 catastrophically ill employees were enrolled to receive hours. Mr. Murphy estimates that approximately one-third of these 29 participating employees would be interested in working when possible.

4. A total of approximately \$750,000, an average of \$7,143 per employee, has been spent on the program to date, Mr. Murphy advises. These costs consist of sick pay benefits and vacation time paid to employees who would otherwise have exhausted their sick pay and taken time off without pay. Sick pay consists of approximately \$700,000, and vacation pay consists of approximately \$50,000 of the approximate total of \$750,000 spent to date.



Items 7 and 8 - Files 114-91-8 and 125-91-1

1. The proposed ordinance would amend the City's Building Code by amending Section 4104 to exempt State-licensed residential board and care homes from certain requirements (File 114-91-8).

The proposed ordinance would amend the City's Housing Code by amending Section 706 to exempt State-licensed residential board and care homes from certain requirements (File 125-91-1).

2. Section 4104 of the Building Code outlines the rules and regulations regarding security requirements for hotels and motels. Specifically, Section 4104(d) outlines provisions regarding entry doors to guest rooms. Section 4104(d) provides that (1) door locks must be a combination of a minimum 1/2 inch deadlatch with a minimum one inch deadbolt, (2) all locks must be capable of locking out all keys, except emergency keys, and be constructed such that the deadlatch and deadbolt retract simultaneously by a single knob and (3) each door must be provided with a minimum 135 degree viewer which does not have sighting capability when viewed from the outside.

3. The proposed ordinance (File 114-91-8) would exempt residential board and care facilities, licensed by the State under Title 22 of the California Code of Regulation, from complying with the above listed City security requirements.

4. Section 706 of the Housing Code outlines the security requirements and standards for hotels and motels. Section 706(3) provides the following security regulations and standards for entry doors: (1) entry doors to guest room from corridors, or accessible by stairs, ramps, parking lot or garage areas must be a minimum of one-and-three-eighths inch solid bounded wood or approved equal equivalent, (2) panel doors must be a minimum of three-eighths inch, (3) glass panel doors must have a minimum one-and-three eighths inch wood framing and be reinforced with plastic, plywood or laminated safety glass, (4) new locks must be a minimum one-inch deadbolt, which can be easily opened from the interior with no key (existing locks must be a minimum five-eighths inch deadbolt or a surface mounted throw deadbolt), (5) all locks in transient hotel rooms must be capable of locking out all keys, except the emergency keys, (6) all doors must be provided with a minimum 135 degree viewer which does not have sighting capability when viewed from the outside, (7) strike plates (metal piece on door into which the door latch is inserted) must be either secured with a minimum of two number eight steel screws if attached to wood, or bolted, welded or riveted if attached to metal, and (8) secondary entry doors (i.e., rear doors) must have at least a deadlatch or deadbolt, or a throw deadbolt.

5. The proposed ordinance (File 125-91-1) would exempt residential board and care facilities, licensed by the State of California under Title 22 of the California Code of Regulation, from complying with the above listed City security requirements.



**Comments**

1. The Department of Public Works (DPW) reports that the Bureau of Building Inspection worked closely with the Mayor's Office, board and care home owners and other interested parties on the development of this proposed legislation. Although the above-cited City's security requirements would be eliminated under the proposed legislation for State-licensed residential board and care homes, the DPW still supports this legislation and recommends its passage because (1) these facilities, unlike hotels and motels, have a stable clientele and considerably less public access, which permits staff to provide adequate security without adherence to the above-noted security requirements and (2) the locking of interior doors in these facilities limits the staff's access to their clientele and as such, can hamper their ability to provide the necessary services.

2. Mr. William Schock of the Bureau of Building Inspection reports that the proposed legislation would not have any fiscal impact on the City because, excluding the above-noted requirements, the facilities would still have to be monitored for other code requirements.

**Recommendation**

Approve the proposed ordinances.

Item 9 - File 114-91-13

1. The proposed ordinance would amend the San Francisco Municipal Code (Building Code) by adding a new Section 335 to Part II, Chapter 1 to provide that owners of properties in the 1700 and 1800 blocks of 8th Avenue shall be subject to the building permit fee schedule in effect on June 30, 1991 (and not the new fees which were increased by an average of 15 percent on July 1, 1991). The old fees would be applied to building permits for repairs or reconstruction of properties damaged by the Loma Prieta earthquake. The proposed Section 335 would expire one year from its effective date.

2. Mr. William Schock of the Bureau of Building Inspection (BBI) indicates that the City's building permit revenues would be reduced by approximately \$9,988.92, based on a \$100,000 estimated average value of repairs and reconstruction at the 36 properties in the 1700 and 1800 blocks of 8th Avenue, as follows:

Current July 1, 1991 Fee Rates

Plan Check	\$ 539.34	
Building Inspection	<u>1,078.68</u>	
Total		\$1,618.02

Pre July 1, 1991 Fee Rates

Plan Check	\$ 446.55	
Building Inspection	<u>894.00</u>	
Total		<u>1,340.55</u>

<u>Net Revenue Loss Per Building Permit</u>	\$277.47
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Multiply by 36 Properties	<u>x 36</u>
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<u>Net Revenue Loss for 36 Properties</u>	\$9,988.92
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3. As a result of the October, 1989 Loma Prieta earthquake, significant damage occurred on the 1700 and 1800 blocks of 8th Avenue. However, because of the unstable condition of the hillside behind the 36 homes, repair and reconstruction of the homes could not be undertaken until after the hillside was stabilized, resulting in a delay in obtaining building permits for repair and reconstruction work. The Department of Public Works reports that the 8th Avenue hillside stabilization project was completed on December 9, 1991.

Comment

According to Mr. Donald McConlogue of BBI, with estimated building permit fee revenues of approximately \$9.9 million in 1991-92, the estimated \$9,988.92 loss would not be significant.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

**Recommendation**

Approval of the proposed ordinance to amend the Building Code to rollback building permit fees for repair and reconstruction of 36 properties on 8th Avenue damaged by the Loma Prieta Earthquake is a policy matter for the Board of Supervisors.

Item 12 - File 123-91-3

1. The proposed ordinance would amend the Public Works Code by repealing the existing industrial waste discharge regulations set forth in the Public Works Code as Article 4.1 Sections 118-124; and by adding a new and expanded industrial Waste Ordinance regulating the discharge of industrial wastes into the City sewerage system.

2. As a recipient of sewage discharge permits and substantial sewer facilities construction grants under the Federal Clean Water Act, San Francisco is required to administer a source control program regulating the discharge of industrial wastewater into its sewerage system. The Department of Public Works (DPW) reports that in general, public water pollution control plants are designed to reduce biodegradable waste loads, not toxic pollutants, from wastewater. Because such facilities do not generally remove toxic pollutants, removal must be accomplished through an effective industrial waste pretreatment program. The DPW also reports that the proposed ordinance is required because Federal and State laws and regulations applicable to industrial waste discharges have changed since 1977 when the existing industrial waste ordinance was enacted.

3. The proposed ordinance would alter the existing industrial use ordinance by adding new definitions and expanding various reporting and monitoring programs. The proposed ordinance would provide authorization for a two-tier permit system for all dischargers (significant and minor), new performance standards, and requirements for the discharge of trucked wastes and groundwater into the City's sewerage system. The proposed ordinance also strengthens the Department's authority to enforce violations of discharge standards and other requirements by authorizing the issuance of administrative and judicial orders applicable to specific categories of violations.

4. Under the proposed ordinance, whenever the DPW finds that a discharge of wastewater is taking place or threatening to take place in violation of any requirement, the Director of Public Works shall order the discharger to clean up such wastewater and abate the effect at the discharger's expense. Dischargers who are found in violation of the guidelines set under the proposed ordinance would be subject to the following criminal and civil penalties:

Criminal Penalties

Any person who violates any provision of the proposed ordinance would be guilty of a misdemeanor and upon conviction shall be fined in an amount not exceeding \$1,000 or be imprisoned in county jail for not more than six months or both. Each day each violation is committed or permitted to continue shall constitute a separate offense.

Any person who violates the provision of the proposed ordinance which prohibits dischargers to deposit any substance in the City's sewerage system which may cause interference with the operation of the sewerage system, such as ashes, cinders, sand, gravel or garbage, would be guilty of an infraction, and would be fined in an amount not in excess of \$500, or the discharger could alternatively be

found guilty of a misdemeanor and be fined in an amount not to exceed \$1,000. Each day each violation is committed or permitted to continue shall constitute a separate offense.

Under both the existing and proposed ordinance, dischargers are required to submit reports to the DPW which indicate compliance with existing industrial waste regulations. In addition, the DPW has installed various monitoring devices which monitor discharges into the City's sewerage system. Any person who knowingly falsifies a misrepresentation in any record or report submitted to the DPW, or tampers with a monitoring device, would be punished by a fine not to exceed \$25,000 or by imprisonment in county jail for not more than six months or both.

#### Civil Penalties

Any person who, without regard to intent or negligence, causes or allows any discharge of wastewater or hazardous waste, as defined in California Code Title 22, or violates any provision of the proposed ordinance, would have a civil liability to the City in an amount not to exceed \$10,000 per day for each violation that occurs, regardless of fault.

Any person who intentionally or negligently causes or permits any discharge of wastewater or hazardous waste would have a civil liability to the City in an amount not to exceed \$25,000 per day. This penalty would be assessed if a person knowingly caused or permitted an illegal discharge to occur.

#### Administrative Civil Penalties

The proposed ordinance also provides that the Director of Public Works may issue orders which establish fines instead of applying the above-listed civil penalties. Any person who, without regard to intent or negligence, causes or allows any discharge of wastewater or hazardous waste, as defined in California Code Title 22, or violates any provision of the proposed ordinance, would be liable civilly to the City in an amount not to exceed \$1,000 per day for each violation that occurs. Fault does not have to be established.

Any person who intentionally or negligently causes or permits any discharge of wastewater or hazardous waste would be subject to an amount not to exceed \$2,000 per day. This penalty would be assessed if a person knowingly caused or permitted an illegal discharge to occur.

The difference between civil penalties and administrative civil penalties is that civil penalties require the City to sue the discharger, and therefore require litigation to receive the above-listed civil penalty fines. However, administrative civil fines allow the Director of Public Works to order a fine for violating the proposed ordinance, and the City would not have to go to court to receive payment. The existing ordinance provides for criminal and civil penalties, but does not provide for any administrative civil penalties.

5. Mr. John Roddy of the City Attorney's Office reports that applying an administrative civil penalty would save court time and litigation costs, as the



Memo to Economic and Social Policy Committee  
December 17, 1991 Rescheduled Economic and Social Policy Committee Meeting

Director of Public Works would have the ability to issue orders to the discharger to pay fines, instead of having to go to court in order to sue for civil damages. As noted, the existing ordinance does not provide for any administrative civil penalties. Mr. Roddy also reports that administrative civil penalties would be advantageous to dischargers because the dischargers would also save court time and litigation costs.

6. The proposed ordinance also would establish special assessment liens in addition to the above-listed civil and criminal penalties. Dischargers would be assessed liens for monitoring and inspection costs, and for delinquency in the payment of a bill for any industrial waste charge in excess of 30 days. The City would mail to the owner a notice of the amount due, and a warning that a lien would be recorded against the property if the amounts due are not paid within 30 days after mailing the notice.

7. Mr. Steve Medbery of the DPW reports that the proposed ordinance would not result in any significant additional fiscal impact to the City. Currently, dischargers are required to submit reports to the DPW which indicate compliance with current industrial waste regulations. In addition, Mr. Medbery indicates that DPW staff currently monitors industrial waste discharges by performing random sampling at various discharge sites. Mr. Medbery also reports that increased levels of staff would not be required to enforce the proposed ordinance above the current levels of monitoring. Rather, the proposed ordinance would enable DPW staff to more effectively enforce violations found during these monitoring activities. Mr. Medbery indicates that since dischargers would be required to submit more comprehensive reports, DPW staff would be able to more effectively enforce violations. Mr. Medbery also indicates that a more detailed permit would have to be developed by the DPW which would incorporate the regulations of the proposed ordinance. However, Mr. Medbery states that the revised permit could be developed with existing DPW staff.

8. Mr. Medbery reports that the additional amount of revenues which would be collected under the proposed ordinance cannot be estimated at this time because the level of compliance cannot be predicted. Mr. Medbery notes that the City received \$3,200 in fines from violations for FY 1991-92.

9. The Department of City Planning has completed an environmental review of the proposed ordinance. Ms. Barbara Sahm of the Department of City Planning reports that the Department has determined that the proposed ordinance falls under a general rule exclusion which means that the proposed ordinance would not have a significant environmental impact, and a separate Environmental Impact Review (EIR) would not have to be completed.

**Recommendation**

Approve the proposed ordinance.





Items 13 and 14 - Files 164-91-5 and 164-91-5.1

**Department:** Department of Public Works (DPW)

**Item:** Resolution declaring intention of Board of Supervisors to vacate a portion of Priest Street located between Clay and Washington Streets; and setting the public hearing for all persons interested in the proposed vacation (File 164-91-5).

Ordinance ordering vacation of a portion of Priest Street located between Clay and Washington Streets, authorizing sale thereof to the owner of the abutting property and adopting findings pursuant to City Planning Code Section 101.1 (File 164-91-5.1).

**Amount:** \$120,000

**Description:** The owner of the property adjacent to a portion of Priest Street, located between Clay and Washington Streets, has requested the vacation of that section of the street in Nob Hill. The owner, 1340 Clay Street Limited, would purchase the proposed vacated portion from the City at a cost of \$120,000.

**Comments:** 1. The portion of Priest Street proposed to be vacated is presently unimproved street area. The Director of Public Works indicates that the property is no longer needed for present or future street purposes. The DPW reports that the property is 17.50 feet by 67.50 feet and contains 1,181 square feet.

2. The Real Estate Department reports that the fair market value of the property is \$120,000. The adjacent property owner, 1340 Clay Street Limited, has agreed to purchase the property at that price.

3. The adjacent property is being developed as a 20 unit, nine-story terraced condominium development with three underground levels of parking accessed from Clay Street, and an earthstone retaining wall (averaging 10 feet in height and 30 to 40 feet in length). The subject property on Priest Street would contain the earthstone retaining wall and a patio as part of the condominium development.

4. According to Ms. Joanne Cooney of the DPW, the \$120,000 in revenues received from the proposed sale of the property would be added to the Department of Public Works' Real Property Fund. This Real Property Fund is used exclusively for the purchase of real property by the DPW, and such funds can only be appropriated by the Board of Supervisors.

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

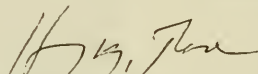
Memo to Economic and Social Policy Committee  
December 17, 1991 Rescheduled Economic and Social Policy Committee Meeting

5. As noted above, the proposed resolution (File 164-91-5) would set the public hearing for all persons interested in the proposed vacation. Therefore, if the Economic and Social Policy Committee wishes to approve the proposed resolution (File 164-91-5), the proposed resolution should be amended to set the date, hour and place of the hearing.

6. The Department of City Planning reports that the proposed vacation is in conformity with the City's Master Plan and with the Eight Priority Policies of City Planning Code Section 101.1.

**Recommendations:** Amend the proposed resolution to set the date, hour and place of the public hearing (File 164-91-5).

Approval of both of the proposed legislation (Files 164-91-5 and 164-91-5.1) are policy matters for the Board of Supervisors.



Harvey M. Rose

cc: Supervisor Kennedy  
Supervisor Migden  
Supervisor Alioto  
President Ward  
Supervisor Achtenberg  
Supervisor Britt  
Supervisor Gonzalez  
Supervisor Hallinan  
Supervisor Hsieh  
Supervisor Maher  
Supervisor Shelley  
Clerk of the Board  
Chief Administrative Officer  
Controller  
Sam Yockey  
Ted Lakey

**BOARD OF SUPERVISORS**  
**BUDGET ANALYST**

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CALENDAR  
RESCHEDULED MEETING OF  
ECONOMIC & SOCIAL POLICY COMMITTEE  
BOARD OF SUPERVISORS  
CITY AND COUNTY OF SAN FRANCISCO

TUESDAY, DECEMBER 17, 1991 - 2:00 P.M.

ROOM 228, CITY HALL

MEMBERS: SUPERVISORS KENNEDY, MIGDEN, ALIOTO

ABSENT: SUPERVISOR ALIOTO - ITEMS 1-3

CLERK: KAY GULBENGAY

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CONSENT CALENDAR

1. All matters listed hereunder constitute a Consent Calendar, are considered to be routine by the Economic and Social Policy Committee, and will be acted upon by a single roll call vote of the Committee. There will be no separate discussion of these items unless a member of the Committee or a member of the public so requests, in which event the matter shall be removed from the Consent Calendar and considered as a separate item:
  - (a) File 18-91-15. Consideration of installation of Stop Signs certain intersections. (Department of Parking and Traffic)

Stop Signs - Establish  
Powell Street and Vallejo Street, southeast and northwest corners, stopping Powell Street traffic (makes this an all-way Stop).  
  
Central Avenue and Hayes Street, northeast and southwest corners, stopping Hayes Street traffic (makes this an all-way Stop).  
  
Clipper Street and Grand View Avenue, stopping eastbound left turns on Clipper Street.
  - (b) File 19-91-12. Consideration of establishing parking regulations, various streets. (Department of Parking and Traffic)

Green Zone With Extended Hours - Establish  
299 Dolores Street, from 21 feet to 94 feet north of 16th Street (73 foot existing zone with extended hours of operation of 7 a.m. to 6 p.m. Monday through Saturday)



- (c) File 20-91-22. Consideration of establishing and rescinding of traffic regulations, various streets. (Department of Parking and Traffic)

Tow Away No Stopping 4 PM to 6 PM Except Sundays – Rescind  
Stockton Street, east side, between Bush Street and Pine Street.

Tow Away No Stopping Anytime – Establish  
Clipper Street, north side, from Diamond Heights Boulevard to 100 feet east of Grand View Avenue.

Lombard Street, north and south sides, from Montgomery Street to Winthrop Street.

Winthrop Street, east side, from Chestnut Street to Lombard Street.

Winthrop Street, west side, from 180 feet south of Chestnut Street to Lombard Street.

ACTION: Consent calendared recommended.

- (a) File 18-91-15. Hearing held. DPT recommendations recommended. Resolution prepared in and reported out of committee.  
Entitled: "Designating certain intersections as "Stop" intersections."  
Recommended.
- (b) File 19-91-12. Hearing held. DPT recommendations recommended. Resolution prepared in and reported out of committee.  
Entitled: "Enacting of parking regulations on various streets."  
Recommended.
- (c) File 20-91-22. Hearing held. DPT recommendations recommended. Resolution prepared in and reported out of committee.  
Entitled: "Enacting and rescinding traffic regulations on various streets."  
Recommended.

#### REGULAR CALENDAR

2. File 107-90-2. Hearing to consider the Department of Social Services' Fraud Early Detection Program. (Supervisor Kennedy)  
(Continued from 9/24/91)

ACTION: Continued to call of the chair.

3. File 247-91-1.1. [Black Male Awareness Program] Resolution amending the resolution which urged the Mayor to support an established Black Male Awareness Program, by further providing that the final outcome of the program is to establish an all Black male school. (Supervisor Kennedy)  
(Continued from 11/20/91)

ACTION: Continued to call of the chair.





4. File 115-91-11. [Hotel and Motel Impacts] Ordinance amending Planning Code by amending Sections 209.2 and 216 thereof, to require all proposed tourist hotel and motel development projects to obtain a conditional use permit and amending Section 303 thereof to require the Planning Commission, in determining whether to grant a conditional use permit for a tourist hotel or motel, to consider the impacts of the workforce of the proposed hotel or motel on the demand for housing, transit, employment, and childcare, and the market demand for hotel or motel, excepting therefrom the impacts of the workforce on housing of certain projects within the jurisdiction of the San Francisco Port Commission and excepting residential hotels filing for conversion to tourist use prior to June 1, 1991." (Department of City Planning)

(Continued from 10/29/91)

ACTION: Hearing held. Amendment of the whole (as presented in committee) adopted.

Entitled: "Amending Planning Code by amending Sections 209.2 and 216 thereof, to require all proposed tourist hotel and motel development projects to obtain a conditional use permit and amending Section 303 thereof to require the Planning Commission, in determining whether to grant a conditional use permit for a tourist hotel or motel, to consider the impacts of the workforce of the proposed hotel or motel on the demand for housing, transit, employment, and childcare, and the market demand for hotel or motel, excepting therefrom the impacts of the workforce on housing of certain projects within the jurisdiction of the San Francisco Port Commission and excepting residential hotels filing for conversion to tourist use prior to June 1, 1991, and adopting the City Planning Commission's findings with respect to the eight priority policies of City Planning Code Section 101.1."

Recommended as amended.

5. File 4-91-28. Hearing to consider legislation urging the Mayor to proclaim April 19-26, 1992, "San Francisco: One Neat City Week". (Supervisor Gonzalez)

ACTION: Hearing held. Resolution (as presented by Supervisor Gonzalez) prepared in and reported out of committee.

Entitled: "Urging the Mayor to proclaim April 19 - 26, 1992 as "San Francisco: One Neat City Week."

Recommended. (Supervisor Alioto added as co-sponsor.)

6. File 78-91-2. [Transfer of Sick Leave/Vacation Benefits] Ordinance amending Chapter 16, Article I of the San Francisco Administrative Code by amending Section 16.9-29(b) thereof, relating to transfer of sick leave and vacation benefits to catastrophically ill employees, by removing the requirement that an employee be unable to return to work for a least thirty days from the definition of catastrophically ill. (Supervisor Britt)

ACTION: Hearing held. Recommended. (Supervisors Alioto and Migden added as co-sponsors.)



7. File 114-91-8. [Security] Ordinance amending Building Code by amending Section 4104 to exempt state licensed residential board and care homes from certain requirements. (Supervisor Alioto)

ACTION: Hearing held. Recommended.

8. File 125-91-1. [Security] Ordinance amending Housing Code by amending Section 706 to exempt state licensed residential board and care homes from certain requirements. (Supervisor Alioto)

ACTION: Hearing held. Recommended.

9. File 114-91-13. [Building Permit Fees] Ordinance amending Part II, Chapter 1 of the San Francisco Municipal Code (Building Code) by adding Section 335 thereto to provide that the owners of property in the 1700 and 1800 blocks of Eighth Avenue shall be subject to the Building Permit Fee Schedule in effect on June 30, 1991 with respect to repairs or reconstruction of properties damaged in the Loma Prieta Earthquake; this section shall expire in one year from its effective date. (Supervisor Shelley)

ACTION: Hearing held. Recommended. (Supervisor Alioto added as co-sponsor.)

10. File 121-91-6. [Tour Bus Restriction] Ordinance amending Police Code, by adding Section 1183.20, regarding tour bus restrictions on 26th Avenue, between Geary Boulevard and California Street. (Department of Parking & Traffic)

ACTION: Hearing held. Continued to call of the chair.

11. File 121-91-11. [Nondiscrimination in Business Practices] Ordinance amending Police Code, by amending Article 33, Section 3305 thereof, to prohibit business establishment from engaging in discriminatory admission policies by requiring businesses that require more than one valid identification document for admittance to business establishments to adopt, post and uniformly apply the policy for admittance to business establishments, and amending Article 15, Section 1027 thereof, to allow the Chief of Police to suspend the dance hall permit of a permittee who violates Police Code Section 3305. (Police Commission)

ACTION: Hearing held. Amended on page 1 line 5 (title) after "requiring" by deleting "businesses that require"; on page 2 line 3 by deleting "Except as permitted by Section 3305 (a)(2) - 1"; on line 8 after "(2)" by deleting "and (2) - 1"; on page 2 by deleting lines 16 through 26.

Entitled: "Amending Police Code by amending Article 33, Section 3305 thereof, to prohibit business establishments from engaging in discriminatory admission policies by requiring more than one valid identification document for admittance to business establishments to adopt, post and uniformly apply the policy for admittance to business establishments, and amending Article 15, Section 1027 thereof, to allow the Chief of Police to suspend the dance hall permit of a permittee who violates Police Code Section 3305."

Recommended as amended. (Supervisors Ward, Kennedy and Alioto added as sponsors.)



12. File 123-91-3. [Water Pollution Control] Ordinance amending Public Works Code by repealing the existing industrial waste discharge regulations set forth in the Public Works Code as Article 4.1, Sections 118-124; and by adding a new and expanded Industrial Waste Ordinance regulating the discharge of industrial wastes into the City sewerage system. (Department of Public Works)  
(Environmental Review General Exclusion.)

ACTION: Hearing held. Recommended.

13. File 164-91-5. [Street Vacation] Resolution declaring intention of Board of Supervisors to vacate a portion of Priest Street located between Clay and Washington Streets; and setting the public hearing for all persons interested in the proposed vacation; companion measure to File 164-91-5.1. (Real Estate Department).

ACTION: Hearing held. Recommended. (Public hearing date set for February 24, 1992.)

14. File 164-91-5.1. [Street Vacation - Sale] Ordinance ordering vacation of a portion of Priest Street located between Clay and Washington Streets, authorizing sale thereof to the owner of the abutting property for \$120,000; and adopting findings pursuant to City Planning Code Section 101.1; companion measure to File 164-91-5. (Real Estate Department.)

#### FISCAL IMPACT

ACTION: To Board without recommendation on Monday, February 24, 1992 for consideration after public hearing.

15. File 207-91-4. Hearing to consider the alleged police harassment of Food Not Bombs. (Supervisor Kennedy)

ACTION: Hearing held. Filed.











